

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed, Tom Gallick, Staff Writers

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GONGWER Ohio
The Record of Capitol Square Since 1906

Event Planner

Monday, July 9

Release of June casino revenue figures, 1:30 a.m.

Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 14065 U.S. Rt. 23, S. Bloomfield, 11 a.m., (11 am registration; 12 pm shotgun)

Tuesday, July 10

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay St., Columbus, 11:30 a.m., (Host: \$1,000, Sponsor: \$500, Patron: \$350 to Friends of Scott Lipps)

Wednesday, July 11

Rep. Richard Brown (D-Canal Winchester) fundraiser, The Paddock Club, 1005 Richardson Rd., Groveport, 5:30 p.m., (Sponsor Levels: Sponsor \$250, Host \$100, Guest \$50 to Citizens for Richard Brown)

Thursday, July 12

Rep. Hearcel Craig (D-Columbus) fundraiser, Crest Gastropub, 621 Parsons Ave., Columbus, 5:30 p.m., (Host \$500, Friend \$250, Supporter \$150; Guest \$69 to Friends of Hearcel F. Craig)

Monday, July 16

Rep. Bill Reineke (R-Tiffin) golf outing fundraiser, Mohawk Golf Course, 4399 OH-231, Tiffin, 8:30 a.m., (8:30 am registration; 10 am shotgun)

Tuesday, July 17

Republican Senate Campaign Committee MLB All-Star Game fundraiser, Dock 79, 79 Potomac Ave SE, Washington DC, 5 p.m., (Walk Off: \$5,000 | Grand Slam: \$2,500 | Home Run: \$1,000 to RSCC)

Thursday, July 19

ALEC Annual Meeting, Denver

Sen. Stephanie Kunze (R-Hilliard) manicure fundraiser, W Nail Bar, 946 N. High Street, Columbus, 4 p.m., (PAC: \$500 | Individual: \$250 | Young Professional: \$50 to Citizens for Stephanie Kunze. RSVP is required to ensure appointment.)

Sen. Matt Dolan (R-Chagrin Falls) Batter Up fundraiser, Progressive Field, 2401 Ontario Street, Cleveland, 4 p.m., (4:00pm Warm Up & Batting | 5:30pm Reception. Grand Slam: \$5,000 | Home Run: \$2,500 | Single: \$1,000 | Spectator: \$150 to Friends of Matt Dolan)

Friday, July 20

ALEC Annual Meeting, Denver

Rep. Tom Patton (R-Strongsville) golf outing fundraiser, Mallard Creek Golf Club, 34500 Royalton Road (SR 82), Columbia Station, 10 a.m., (10:00 am Shotgun start; Tournament: \$2,000, Eagle: \$1,000; Foursome: \$600, Birdie:\$5000, Person: \$150 to Friends of Tom Patton)

Saturday, July 21

ALEC Annual Meeting, Denver

Sunday, July 22

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Monday, July 23

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Road, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. Event Sponsor: \$1,000 | Foursome: \$400 | Tee or Green Sponsor: \$200 | Individual Golfer: \$100 to Huffman for Ohio)

Tuesday, July 24

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Rep. Bill Seitz (R-Cincinnati) fundraiser, Gresso's, 961 S. High St., Columbus, 5 p.m., (Gold: \$2,000; Silver: \$1,000; Bronze: \$500 to Seitz for Ohio)

Wednesday, July 25

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Sen. Rob McColley (R-Napoleon) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Road, Defiance, 11 a.m., (11:00am Registration and Lunch | 12:00pm Shotgun Start | 5:30pm Cocktail Hour | 6:00pm Dinner with State Rep. Craig Riedel. Event Sponsor: \$2,500 | Tee Sponsor: \$1,000 | Green Sponsor: \$500 | Foursome: \$400 | Dinner Sponsor: \$250 | Individual Golfer: \$100 to Citizens for McColley)

Thursday, July 26

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Rep. Craig Riedel (R-Defiance) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Rd., Defiance, 9:30 a.m., (9:30 Shotgun Start. Event:\$2,500, Tee:\$1,000, Green:\$500, Foursome:\$400, Golfer: \$100 to Citizens to Elect Craig Riedel)

Rep. Bill Blessing (R-Cincinnati) fundraiser, Via Vite, 520 Vine St., Cincinnati, 11:30 a.m., (Sponsor: \$1,000, Host: \$500, Guest: \$250 to Citizens for Blessing)

Friday, July 27

YMCA Youth & Government Leaders Training School, Statehouse, Columbus

Monday, July 30

NCSL Legislative Summit, Los Angeles

Tuesday, July 31

NCSL Legislative Summit, Los Angeles

Deadline to file semi-annual campaign finance reports

Wednesday, August 1

NCSL Legislative Summit, Los Angeles

Rep. Riordan McClain (R-Upper Sandusky) golf outing fundraisesr

Thursday, August 2

NCSL Legislative Summit, Los Angeles

Rep. Anne Gonzales (R-Westerville) Lake Erie fundraiser, Dock's Beach House, 252 W. Lakeshore Drive, Port Clinton, 4 p.m., (Sponsor: \$2,500 | Host: \$1,000 | Guest: \$500 to Citizens for Anne Gonzales)

Friday, August 3

Deadline for statewide candidates to file July campaign finance reports

Speaker Ryan Smith (R-Bidwell) golf outing fundraiser, Cliffside Golf, 100 Cliffside Drive, Gallipolis, 9 a.m., (Coffee/Registration: 9:00am; Shotgun Start: 10:00am; Event Chair: \$12,707.79; Event host: \$5,000; Event sponsor: \$2,500; Tee Sponsor: \$1,000; Foursome: \$500; Individual Golfer: \$150; Reception only: \$75 to Friends of Ryan Smith)

Sen. Sandra Williams (D-Cleveland) fundraiser, FOP Hall, 2249 Payne Ave., Cleveland, 5 p.m., (\$200 (table); \$20 (friend) to Friends of Sandra Williams)

Tuesday, August 7

Special election for 12th Congressional District seat

Rep. Laura Lanese (R-Grove City) fundraiser, Condado, 132 S. High St., Columbus, 11:30 a.m., (Host: \$1,000, Sponsor: \$500, Patron: \$350 to Lanese for Ohio)

Wednesday, August 15

Rep. Theresa Gavarone (R-Bowling Green) golf outing fundraiser

Thursday, August 16

Sen. Bob Hackett (R-London) golf outing fundraiser

Friday, August 17

Sen. Bill Beagle (R-Tipp City) Fly Fishing fundraiser

Monday, August 20

Rep. Laura Lanese (R-Grove City) golf outing fundraiser, Pinnacle Golf Club, 1500 Pinnacle Golf Club Dr., Grove City, 10 a.m., (10:00 am Registration, 11:00 am Shotgun start, Dinner to follow; Event: \$1,500, Food and Beverage: \$700, Golfer: \$150; Hole: \$100 to Lanese for Ohio)

Thursday, August 23

Hamilton County GOP State Legislative golf outing fundraiser

Monday, August 27

Rep. Scott Ryan (R-Newark) golf outing fundraiser, Denison Golf Club, 555 Newark Granville Rd., Granville, 9 a.m., (9:00 am Registration, 10:00 am Shotgun Start. Event: \$2500; Food and Beverage: \$1000; Tee: \$750; Foursome: \$500; Golfer: \$125; Green: \$100 to Citizens for Scott Ryan)

Saturday, September 1

Lobbyists/Employers can begin filing May-August 2018 Activity & Expenditure Reports

Thursday, September 6

Deadline for statewide candidates to file August campaign finance reports

Rep. Rick Carfagna (R-Westerville) golf outing fundraiser

Friday, September 14

Rep. Dave Greenspan (R-Westlake) golf outing fundraiser, Springdale Golf Course, 5871 Canterbury Road, North Olmstead, 9 a.m., (9:00 am Shotgun Start, Lunch at the Turn, Dinner to follow; Dinner Sponsor: \$1,500, Lunch Sponsor: \$1,000, Drink Sponsor: \$750, Hole Sponsor: \$100; Foursome: \$500, Single Golfer: \$125, Dinner only: \$60 to Friends of Dave Greenspan)

Thursday, September 27

Sen. President Larry Obhof (R-Medina) shotgun fundraiser

Friday, September 28

Rep. Dave Greenspan (R-Westlake) golf outing fundraiser

Sen. Joe Uecker (R-Loveland) Day at the Races fundraiser

Monday, October 1

JLEC Deadline for filing May-August 2018 Activity & Expenditure Report

Wednesday, October 3

Deadline for statewide candidates to file September campaign finance reports

Thursday, October 25

Deadline to file pre-general campaign finance reports

Tuesday, November 6

General election day

Thursday, November 8

2018 Impact Ohio Post Election Conference, Greater Columbus Convention Center, 400 N. High St., Columbus

Saturday, December 1

Lobbyists can begin renewing Legislative, Executive and Retirement System registrations for 2019

Friday, December 14

Deadline to file post-general campaign finance reports

Monday, December 31

All 2018 Legislative, Executive and Retirement System lobbying registrations expire in OLAC

Thursday, January 31

Deadline to 2018 annual campaign finance reports

Deadline to 2018 annual campaign finance reports

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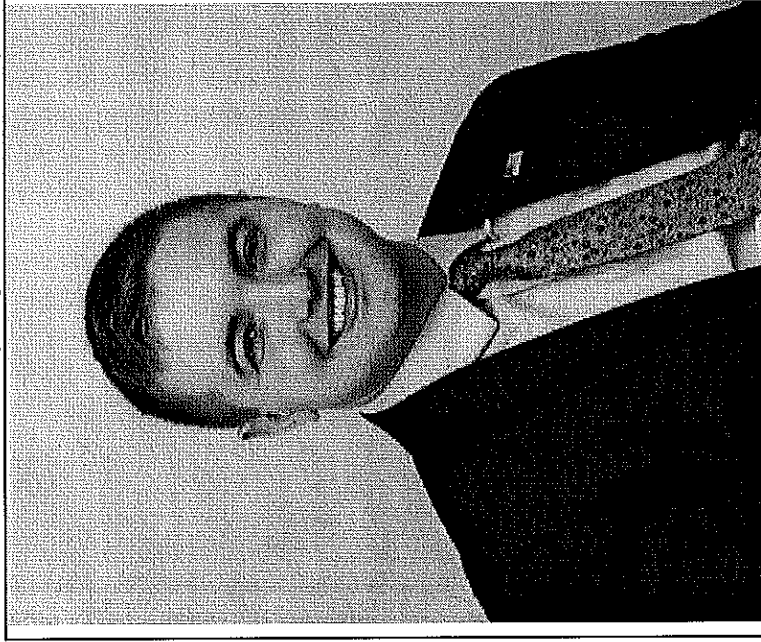
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Alexander, Steven

From: Fleck, Craig
Sent: Friday, June 22, 2018 3:42 PM
To: GOP_All
Subject: New GOP Additions

WELCOME

When you get a free minute, please make sure to introduce yourself and welcome the newest members of our team.



Tyler Herrmann, Deputy Legal Counsel / Policy Advisor

Tyler is from Harrison, Ohio and holds a Juris Doctorate from the University of Cincinnati and a Political Science degree from Wright State University. Tyler served in the United States Air Force as an Operations Intelligence Analyst NCO and currently serves as a JAG Attorney for the United States Army. He currently presides as the Chairman for the Ohio Chapter of the Republican National Lawyers Association, and as the Treasurer for the Cap City Young Republicans. Tyler transferred to the House from the Attorney General's Office where he served as an Assistant Attorney General within the Executive Agencies Section.



James Kennedy, LA Merrin

James is from Palm City, Florida and an alum of Florida, Atlantic University where he graduated with a degree in Political Science. While in college he had the opportunity to serve as a Tax and Fiscal Policy Intern for the American Legislative Exchange Council (ALEC). James has an extensive research background serving as a Legal Research Analyst Intern for the Buckeye Institute and as a Political-Military Analyst Intern for the Hudson Institute. Prior to arriving to the House, he served as a Legislative Assistant for the Tennessee Legislation Service in Nashville. In James' free time, he enjoys collecting sports memorabilia and claims to have personally met nearly every major league baseball superstar.



Lauren Reid, LA Butler

Lauren is from Madison, Connecticut, and recently graduated from the University of Dayton with degrees in Criminal Justice and Political Science with a minor in Spanish. While at Dayton, she served as a Statehouse Civic Scholar, where she was assigned an internship working for the Governor's communication team. Lauren had the unique experience of traveling to Segovia, Spain, where she participated in a four-week immersion program. During the winter months whenever she gets the opportunity, she enjoys to snowmobile.

Craig Fleck

Deputy Administrative Officer
Ohio House of Representatives
77 South High Street, 12th Floor
Columbus, Ohio 43215
Cell: 440.376.6098
Office: 614.466.2175
Craig.fleck@ohiohouse.gov

Alexander, Steven

From: Alexander, Steven
Sent: Tuesday, June 19, 2018 3:04 PM
To: Myers, Marisa
Subject: FW: Updated Bill Briefing
Attachments: HB 506 (Hill) 6-19-18 (with additions from Marisa and Steven).docx

Forgot to cc you in this, but this is the email I sent Lisa.

From: Alexander, Steven
Sent: Tuesday, June 19, 2018 3:04 PM
To: Griffin, Lisa <Lisa.Griffin@ohiohouse.gov>
Subject: Updated Bill Briefing

Hi Lisa,

Marisa was incorporating the Senate changes for HB 506 till she got pulled into a meeting. She asked me to finish. I just did so, and now I'm sending you the bill briefing to verify that we described the Senate changes correctly.

Steven Alexander
Senior Majority Policy Advisor
Ohio House of Representatives
77 S. High St., 14th Floor
Columbus, OH 43215
Office: 614.466.0891

SUB. H.B. 506 (HILL)

Revise law governing high volume dog breeders

House Co-Sponsors: Thompson, R. Smith, Patterson, Schuring, Seitz, Koehler, Patton, Stein, West, Sweeney, Kick, Ryan, Hoops, Hambley, Rezabek, Rogers

Senate Co-Sponsors: Hackett, Hoagland, O'Brien, Yuko

Bill History

- 2/13/18 – Introduced
- 3/15/18 – Reported by House Government Accountability and Oversight Committee (5 Hearings), (8-3)
- 3/21/18 – Passed House (75-22)
- 5/23/18 – Reported by Senate Agriculture Committee (3 Hearings), (9-0)
- 6/6/18 – Passed Senate (32-1)
- House Concurrence Vote Pending

Stakeholders

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"> • Patricia Haines – Ohio Veterinary Medical Assoc. <i>(Both House and Senate Versions)</i> 	<ul style="list-style-type: none"> • Vicki Deisner – Animal Welfare Institute <i>(Both House and Senate Versions)</i> • Beth Sheehan – Paws & the Law • Linda Goldstein • Sara Butts • Kellie DiFrischia – Columbus Dog Connection <i>(As Pending in Senate Committee)</i> • Zaron Van Meter – Scottish Terrier Rescue Association <i>(As Pending in Senate Committee)</i> • Rabbi Areyah Kaltmann <i>(As Pending in Senate Committee)</i> 	<ul style="list-style-type: none"> • Greg Lawson – The Buckeye Institute • Kellie DiFrischia – Columbus Dog Connection • Adam Sharp – Ohio Farm Bureau Federation • Sasha Rittenhouse – Ohio Cattlemen's Association • Tadd Nicholson – Ohio Corn & Wheat Growers • Scott Higgins – Ohio Dairy Producers Association • Bryan Humphreys – Ohio Pork Producers • Jim Chakeres – Ohio Poultry Association • Kirk Merritt – Ohio Soybean Association • Sharon Harvey – Cleveland Animal Protective League • Corey Roscoe – Humane Society of the United States • Tony Seegers – Ohio Cattleman's, Corn & Wheat, Dairy Producers, Farm Bureau, Pork Council, Poultry Association, Soybean Association <i>(As Pending in Senate Committee)</i>

		<ul style="list-style-type: none"> Sharon Harvey – Cleveland Animal Protective League (<i>As Pending in Senate Committee</i>)
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Key Provisions (As Passed by the Senate)

High-volume dog breeders

- Alters the factors for determining whether a dog breeder is subject to the law governing high-volume dog breeders by specifying that an establishment is a high-volume breeder if it keeps six or more breeding dogs and does one of the following:
 - Sells five or more adult dogs or puppies in a calendar year to dog brokers or pet stores;
 - Sells 40 or more puppies in a calendar year to the public; or
 - Keeps, at any given time in a calendar year, 40 or more puppies that are younger than four months, that are bred on the premises of the establishment, and that have primarily been kept from birth on the premises.
- Revises which dogs qualify as breeding dogs by specifying that a breeding dog is an unspayed female adult dog that is primarily used for producing offspring (rather than an unneutered, unspayed male or female dog that is primarily harbored or housed on property that is the dog's primary residence as in current law).
- Revises the fee schedule for annual high-volume dog breeder licenses by generally basing it on the number of puppies sold rather than the number of litters of puppies sold as under current law. (The fee ranges from \$150 to \$750, depending on the number of puppies sold.)

Standards of care

- Requires a high-volume dog breeder, in addition to complying with the existing rule-based standards of care, to comply with additional standards, including standards governing sustenance, housing, veterinarian care, and exercise and human interaction.¹
- Prohibits a person operating as a high-volume dog breeder from failing to comply with the above care requirements.
- Generally requires dog brokers and pet stores, prior to purchasing a dog from an in-state or out-of-state high-volume dog breeder, to request that the breeder sign a document stating that the breeder is in compliance with Ohio's standards of care.

Exemptions from the law

- Does both of the following regarding exemptions from the law governing high-volume dog breeders:
 - Exempts animal shelters that are operated by a humane society; and
 - Clarifies that a veterinarian is exempt only if the veterinarian is providing clinical care and is not engaged in the practice of dog breeding.

Civil penalties

- Alters the procedures that the Director must follow in order to impose civil penalties under the law governing high-volume dog breeders and pet stores.
- Increases the civil penalties for a first violation of that law from \$500 to \$2,500, and for a second violation of that law from \$2,500 to \$5,000.

Animal rescues for dogs

- Changes the registration for an animal rescue for dogs from a permanent registration to an annual registration.

- Requires the Director to establish appropriate procedures for renewing the registration of a person who was registered as an animal rescue prior to the bill's effective date.
- Retains current law that does not authorize the imposition of a registration fee for an animal rescue for dogs, but authorizes the Director to charge a \$200 late renewal fee if a person fails to renew a registration prior to its expiration.
- Specifies that an entity cannot be considered an animal rescue for dogs if the entity sells a dog to a dog broker or pet store.

Dog brokers

- Changes the title of dog retailer to dog broker throughout the law governing dog breeders and makes conforming changes.

Additional Information

- **Synopsis of Senate Changes:**
 - Lowers the number of puppies required from 60 to 40 and the age of the puppies from younger than 4 months to younger than 6 months to qualify as a “high-volume dog breeder.”
 - Specifies that a “breeding dog” is an unspayed female that is used primarily for producing offspring rather than a *fertile*, unspayed female.
 - Includes a requirement in rules adopted by the Director of Agriculture that the rules also address a requirement that high-volume dog breeders keep and maintain records of veterinary care for each dog for three years.
 - Requires food to be provided twice a day.
 - Requires a dog to have access to a continuous supply of potable water rather than requiring that breeders simply provide potable water.
 - Modifies the formula for calculating cage size standards to provide more space and specify standards for flooring – applies after December 31, 2021.
 - Allows for the use of an outdoor primary enclosure as included in the House version, but additionally requires approval from a veterinarian for the space.
 - Requires a breeder to house a dog with other dogs except for health, biosecurity, breeding, or behavioral reasons.
 - Requires a dog to be in normal body condition and cleared by a veterinarian for breeding, but without the condition that a physical examination by a vet must occur prior to the onset of the dog’s next proestrus.
 - Prohibits a breeder from producing more than 8 litters in the lifetime of a single female dog.
 - Requires a dog to have a minimum of 30 minutes of daily exercise.
 - Requires a breeder to provide medical care for any *significant* condition and makes certain specifications for medical care.
 - Changes the title of dog retailer to dog broker
 - Rather than require the dog broker to verify that the breeder has complied with the requirements of the bill before purchasing dogs, it instead requires the dog broker to obtain a signed document from the high-volume breeder that the breeder complied with the bill’s requirements
 - Implements an annual, rather than one-time, registration as an animal rescue for dogs and requires the director to adopt procedures for renewals
 - Maintains the same fee schedule for the license application fee as a high-volume dog breeder, but alters the number of puppies sold that determine which fee will be required

- Eliminates the requirement that, when imposing civil penalties under this bill, the Director sends a citation by certified mail or personal service
- Eliminates the requirement that all appeals of civil penalties by the Director shall be made to the Environmental Division of the Franklin County Municipal court thus allowing an appeal to be made to a court of common pleas with jurisdiction
- Increases the civil penalty for violating the law governing high-volume dog breeders from \$500 and \$2,500 for a first and subsequent violation respectively, to \$2,500 and \$5,000 for a first and subsequent violation respectively
- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

Alexander, Steven

From: Alexander, Steven
Sent: Tuesday, June 19, 2018 3:04 PM
To: Griffin, Lisa
Subject: Updated Bill Briefing
Attachments: HB 506 (Hill) 6-19-18 (with additions from Marisa and Steven).docx

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- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

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Stakeholders

Proponent	Opponent	Interested Party
<ul style="list-style-type: none"> • Patricia Haines – Ohio Veterinary Medical Assoc. <i>(Both House and Senate Versions)</i> 	<ul style="list-style-type: none"> • Vicki Deisner – Animal Welfare Institute <i>(Both House and Senate Versions)</i> • Beth Sheehan – Paws & the Law • Linda Goldstein • Sara Butts • Kellie DiFrischia – Columbus Dog Connection <i>(As Pending in Senate Committee)</i> • Zaron Van Meter – Scottish Terrier Rescue Association <i>(As Pending in Senate Committee)</i> • Rabbi Areyah Kaltmann <i>(As Pending in Senate Committee)</i> 	<ul style="list-style-type: none"> • Greg Lawson – The Buckeye Institute • Kellie DiFrischia – Columbus Dog Connection • Adam Sharp – Ohio Farm Bureau Federation • Sasha Rittenhouse – Ohio Cattlemen's Association • Tadd Nicholson – Ohio Corn & Wheat Growers • Scott Higgins – Ohio Dairy Producers Association • Bryan Humphreys – Ohio Pork Producers • Jim Chakeres – Ohio Poultry Association • Kirk Merritt – Ohio Soybean Association • Sharon Harvey – Cleveland Animal Protective League • Corey Roscoe – Humane Society of the United States • Tony Seegers – Ohio Cattleman's, Corn & Wheat, Dairy Producers, Farm Bureau, Pork Council, Poultry Association, Soybean Association <i>(As Pending in Senate Committee)</i>

		<ul style="list-style-type: none"> Sharon Harvey – Cleveland Animal Protective League (<i>As Pending in Senate Committee</i>)
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Key Provisions (As Passed by the Senate)

High-volume dog breeders

- Alters the factors for determining whether a dog breeder is subject to the law governing high-volume dog breeders by specifying that an establishment is a high-volume breeder if it keeps six or more breeding dogs and does one of the following:
 - Sells five or more adult dogs or puppies in a calendar year to dog brokers or pet stores;
 - Sells 40 or more puppies in a calendar year to the public; or
 - Keeps, at any given time in a calendar year, 40 or more puppies that are younger than four months, that are bred on the premises of the establishment, and that have primarily been kept from birth on the premises.
- Revises which dogs qualify as breeding dogs by specifying that a breeding dog is an unspayed female adult dog that is primarily used for producing offspring (rather than an unneutered, unspayed male or female dog that is primarily harbored or housed on property that is the dog's primary residence as in current law).
- Revises the fee schedule for annual high-volume dog breeder licenses by generally basing it on the number of puppies sold rather than the number of litters of puppies sold as under current law. (The fee ranges from \$150 to \$750, depending on the number of puppies sold.)

Standards of care

- Requires a high-volume dog breeder, in addition to complying with the existing rule-based standards of care, to comply with additional standards, including standards governing sustenance, housing, veterinarian care, and exercise and human interaction.¹
- Prohibits a person operating as a high-volume dog breeder from failing to comply with the above care requirements.
- Generally requires dog brokers and pet stores, prior to purchasing a dog from an in-state or out-of-state high-volume dog breeder, to request that the breeder sign a document stating that the breeder is in compliance with Ohio's standards of care.

Exemptions from the law

- Does both of the following regarding exemptions from the law governing high-volume dog breeders:
 - Exempts animal shelters that are operated by a humane society; and
 - Clarifies that a veterinarian is exempt only if the veterinarian is providing clinical care and is not engaged in the practice of dog breeding.

Civil penalties

- Alters the procedures that the Director must follow in order to impose civil penalties under the law governing high-volume dog breeders and pet stores.
- Increases the civil penalties for a first violation of that law from \$500 to \$2,500, and for a second violation of that law from \$2,500 to \$5,000.

Animal rescues for dogs

- Changes the registration for an animal rescue for dogs from a permanent registration to an annual registration.

- Requires the Director to establish appropriate procedures for renewing the registration of a person who was registered as an animal rescue prior to the bill's effective date.
- Retains current law that does not authorize the imposition of a registration fee for an animal rescue for dogs, but authorizes the Director to charge a \$200 late renewal fee if a person fails to renew a registration prior to its expiration.
- Specifies that an entity cannot be considered an animal rescue for dogs if the entity sells a dog to a dog broker or pet store.

Dog brokers

- Changes the title of dog retailer to dog broker throughout the law governing dog breeders and makes conforming changes.

Additional Information

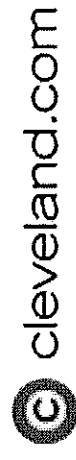
- **Synopsis of Senate Changes:**
 - Lowers the number of puppies required from 60 to 40 and the age of the puppies from younger than 4 months to younger than 6 months to qualify as a “high-volume dog breeder.”
 - Specifies that a “breeding dog” is an unspayed female that is used primarily for producing offspring rather than a *fertile*, unspayed female.
 - Includes a requirement in rules adopted by the Director of Agriculture that the rules also address a requirement that high-volume dog breeders keep and maintain records of veterinary care for each dog for three years.
 - Requires food to be provided twice a day.
 - Requires a dog to have access to a continuous supply of potable water rather than requiring that breeders simply provide potable water.
 - Modifies the formula for calculating cage size standards to provide more space and specify standards for flooring – applies after December 31, 2021.
 - Allows for the use of an outdoor primary enclosure as included in the House version, but additionally requires approval from a veterinarian for the space.
 - Requires a breeder to house a dog with other dogs except for health, biosecurity, breeding, or behavioral reasons.
 - Requires a dog to be in normal body condition and cleared by a veterinarian for breeding, but without the condition that a physical examination by a vet must occur prior to the onset of the dog’s next proestrus.
 - Prohibits a breeder from producing more than 8 litters in the lifetime of a single female dog.
 - Requires a dog to have a minimum of 30 minutes of daily exercise.
 - Requires a breeder to provide medical care for any *significant* condition and makes certain specifications for medical care.
 - Changes the title of dog retailer to dog broker.
 -
- **Policy Advisor:** Lisa Griffin, 937-554-6372, lisa.griffin@ohiohouse.gov

Alexander, Steven

From: Capitol Letter <cleveland.com_newsletters@update.cleveland.com>
Sent: Tuesday, June 05, 2018 6:15 AM
To: Alexander, Steven
Subject: 56 medical marijuana dispensary winners announced

Tuesday, June 5, 2018

[View in Browser](#)



Capitol Letter

Laura Hancock and Jeremy Pelzer



Columbus police arrested nine demonstrators with the Poor People's Campaign who had been in the street during Monday afternoon rush hour, including Dan Clark, in the colorful stole, pastor at St. John's Church in Columbus, and Roger Osgood, in the white stole, pastor of Heights Christian Church in Shaker Heights. The campaign, which demonstrated near the Ohio Statehouse, wants renewable energy, universal health care, services for people with disabilities and a repeal of the 2017 federal tax law, among other issues. (Laura Hancock/cleveland.com)

Rotunda Rumblings

Pot shops: The state announced 56 winners of provisional medical marijuana dispensaries Monday. Want to know if any shops will be in your town? [Cleveland.com's Jackie Borchardt has the list and their addresses.](#)

Voting help, at your service: New Ohio Senate legislation would require the secretary of state to create an office specifically to help military service members vote absentee while on active duty. Under [Senate Bill 305](#), the Office for the Uniformed Services Absent Voter would educate military voters before they deploy about their voting options and would be notified when a voter may miss an election because they're on active duty. Bill

sponsor Sen. Frank LaRose, the Republican nominee for secretary of state who served overseas as a U.S. Army Green Beret, stated in a letter to his Senate colleagues that a 2014 poll found two-thirds of military personnel were not confident their vote would be counted or found the absentee-voting process overly complex.

Supreme score: The company that chops up a “slag mountain” near Youngstown to turn it into road-building material is entitled to a reduction in state taxes, the Ohio Supreme Court ruled last week. The court unanimously decided that the Ohio tax commissioner wrongly assessed the tax owed on repair parts and fuel for machinery that Lafarge North America uses to break slag, a byproduct of the steel-making process.

Recounting the details: Republican 12th Congressional District candidate Melanie Leneghan has requested a \$2,880 recount in 48 precincts across four counties, according to a letter sent to Franklin County elections officials. Leneghan, who lost the May 8 primary to state Sen. Troy Balderson by 653 votes, has asked for a recount in 21 precincts in Franklin County, 16 in Muskingum County, six in Licking County and five in Delaware County. The recount is set to start on Wednesday and could take several days, according to elections officials. Leneghan only asked to retabulate votes in the primary in which Balderson was nominated for the November election. The November winner will serve a full two-year term beginning next year. She did not challenge a primary the same day in which Balderson won the GOP nomination for an Aug. 7 special election. The winner of that election will only serve until the end of this year.

Scheduling note: While the Ohio House appears close to ending the deadlock over electing an interim speaker, it’s still unclear when the chamber might start addressing its growing backlog of bills. According to House Republican spokesman Brad Miller, the election for speaker will be the only item on Wednesday’s House agenda, and it hasn’t yet been decided when the House would meet after that to vote on legislation before breaking for the summer.

Have your cake: The U.S. Supreme Court ruled in favor of a Colorado baker who refused to make wedding cakes for same-sex couples on religious grounds, [reports cleveland.com's Sabrina Eaton](#). The case doesn't allow store owners to discriminate against same-sex couples broadly, but instead focused on Colorado officials' comments during the case, which the court found violated the baker's First Amendment rights.

"Trade wars are good, and easy to win": If you pulled Canada in your office trade war pool, congratulations. You're the winner. Canadian Prime Minister Justin Trudeau announced he would impose retaliatory tariffs, and Ohio would be one of the hardest hit in the nation with \$1.75 billion in goods affected. [Cleveland.com's Robin Goist breaks down](#) what industries might feel the squeeze.

It's not even vest season: Multiple agents with the Bureau of Criminal Investigation are wearing vests that are completely out of style – so much so that they are expired and potentially dangerous to the officers. [Julie Carr Smyth of the Associated Press reports](#) on a union complaint that listed 53 of 99 special agents, investigators and personnel transport workers whose Kevlar vests are past the five-year expiration date.

Mental health: It's been 10 years since the state closed Twin Valley – the inpatient psychiatric hospital in Dayton – and the move has proved to be a drain on resources, [according to the Daily Dayton News](#). Instead of having a place to house patients with mental illnesses, law enforcement is often dispatched to do so after they commit a crime.

Surprising the competition: The districts in Ohio are gerrymandered to favor Republicans, but the current political climate has at least two congressional Republicans playing defense, [Jack Torry of The Columbus Dispatch writes](#). U.S. Rep. Steve Chabot has a competitive race in the Cincinnati area against Hamilton County Clerk of Courts Aftab Pureval in a district that could flip. But also playing D is U.S. Rep. Bob Gibbs, who is

facing an aggressive campaign from veteran Ken Harbaugh.

Tell your family and friends! You probably already know that it's now free to subscribe to Capitol Letter. So spread the word! [Chris Quinn, Advance Ohio/cleveland.com editor and president, explains why we decided to make our newsletter available to everyone. You can sign up here.](#)

Full Disclosure

Five things we learned from state Rep. John Boccieri's April 9 financial disclosure statement. Boccieri, a Mahoning County Democrat and former congressman, is running this November for Senate District 33.

1. In addition to working as a state lawmaker, he also works as a pilot with United Airlines and as a pilot and squadron commander with the U.S. Air Force Reserve.
2. On top of his annual legislative salary of \$60,584, Boccieri's two other jobs as a pilot each earned him \$50,000 to \$99,999 in 2017.
3. He listed investments of at least \$1,000 each in more than a dozen mutual funds, as well as in 19 different stocks and exchange-traded funds – including Google and Berkshire Hathaway.
4. During 2017, the Ohio House of Representatives reimbursed him \$4,330 in official travel expenses.
5. Boccieri also holds licenses to sell property, casualty, life and health insurance, as well as products such as mutual funds and variable annuities.

On the Move

Brittany Warner has been hired as director of communications for Republican Mike DeWine's gubernatorial campaign. She's moving over from managing Sen. Frank LaRose's Republican campaign for secretary of state. A former Ohio Republican Party spokeswoman, Warner got the job after Ryan Stubenrauch, who handled communications for DeWine's campaign during the primary, left for a private media consulting firm.

Grant Shaffer is LaRose's new campaign manager. Shaffer worked for Lt. Gov. Mary Taylor's gubernatorial campaign and New Day for America, the super PAC that supported Gov. John Kasich's presidential bid.

Joshua Eck has officially been named the DeWine campaign's press secretary and spokesman; the former secretary of state spokesman has already been handling similar duties for the campaign.

Michael Hall will serve as the DeWine campaign's policy director. Hall most recently worked as a partner in the public affairs and government law group at Ice Miller, a Columbus law firm.

Birthdays

Erin Sutter, Buckeye Institute's manager of strategic partnerships

Straight From The Source

"This is a big win for the First Amendment and religious freedom, and a brutal defeat for government activists who are hostile to people of faith."

- Ken Blackwell, a Republican and former Ohio secretary of state and treasurer, commenting on Twitter about Monday's U.S. Supreme Court ruling that a Colorado baker can refuse on religious grounds to make a wedding cake for a gay couple.

One of our aims with Capitol Letter is frequent communication with you, the reader. We value your thoughts and suggestions about the newsletter. What do you think of it? What features do you like? What could we do better? Is there a topic you'd like to see us address? And what time would you like to receive the newsletter? We've been sending it at about 6:15 a.m. Would you like it to arrive earlier? We value your feedback and are committed to making Capitol Letter your essential first read of the morning. Email us at Capitolletter@cleveland.com.

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Alexander, Steven

From: Fiore, Antonio <afiore@keglerbrown.com>
Sent: Thursday, May 31, 2018 2:59 PM
To: Fiore, Antonio
Subject: Urging Your Support for Cosmetology Reforms in HB 189/SB 129 Before the Summer Recess
Attachments: 2018_0531 OSA Ltr to All Ohio House and Senate Members Urging Support f....pdf

Dear Ohio House members,

We are writing to ask for your **support and expeditious passage of the occupational licensure reforms** to Ohio's cosmetology industry contained in **HB 189 and SB 129** before the Summer recess.

I've attached a packet that includes:

- 1) A letter outlining recent Vermont and Illinois bills that were enacted in May with provisions modeled after HB 189 and SB 129, including lowering hours from 1,500 to 1,000 for cosmetologist and establishing an apprenticeship program;
- 2) A Fact Sheet about HB 189/SB 129;
- 3) A Myths Busted addressing issues raised by opponents;
- 4) A document highlighting the 28 private schools of cosmetology that have closed since May 2015; and
- 5) News clips from around the state and proponent testimony supporting passage of HB 189/SB 129.

Have a great weekend. Please let me know if you have any questions.

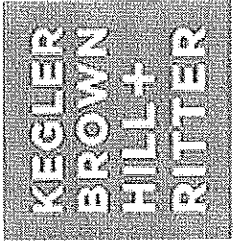
Best regards,

Tony

Antonio C. Fiore
Of Counsel

65 East State Street | Suite 1800 | Columbus, OH 43215
direct (614) 462-5428 | mobile (614) 906-8669 | fax (614) 464-2634
afiore@keglerbrown.com

[my bio](#) • [vCard](#) • [email](#)



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OSA

OHIO SALON ASSOCIATION

May 31, 2018

Dear House and Senate Members:

As you decide what legislation to pass and send to Governor Kasich before the summer recess we urge you once again to **pass the occupational licensure reforms** to Ohio's cosmetology industry contained in **HB 189** or the companion bill, **SB 129**. We have worked with the bill sponsors of both bills on final changes to address opponent concerns as well as provide greater protections for students in the future.

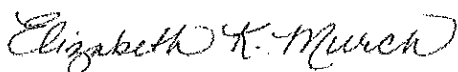
We've attached a **fact sheet** and a **myths busted** document that address many of the claims made by opponents. In addition, we've included a number of opinion editorials and letters to the editor from around the state.

Here are several additional points that lend support for **HB 189** and **SB 129**:

- Last Monday, May 21, 2018, **Vermont Governor Phil Scott** signed **H.684** into law. This bill lowers the occupational licensure hour requirements for several professions, including cosmetology. State mandated cosmetology hours are reduced from 1,500 hours to 1,000 hours and an apprenticeship program is established for cosmetologists, barbers, estheticians and nail technicians.
- **Illinois** just became the first state to pass a **pre-graduate testing** bill similar to the provisions found in Ohio's **HB 189** and **SB 129**. Why? 33,000 students across the nation **finished school last year and never got licensed**. Without obtaining the license for which a student is trained means students are forced to find alternate employment to pay back student loans.
- The total **number of private cosmetology school closures** has reached 28 since May 2015 (around 30%). We anticipate this number **continuing to grow** due to U.S. Department of Education **Gainful Employment Act** disclosures, requiring any non-degree program offered by non-profit or public institutions and all educational programs offered at for-profit institutions to lead to gainful employment.
- **HB 189** and **SB 129** **support the House's licensure reform goal** of reducing unnecessary barriers to enter a profession, and the **Senate's regulatory reform goal** of reducing unnecessary red tape and regulation that is stifling the potential of Ohio's small businesses, which in turn limits job opportunities for Ohioans.
- Both bills **support Ohio's Attainment Goal 2025** of the Governor's Executive Workforce Board, Ohio Department of Education and Ohio Department of Higher Education to have 65% of Ohioans ages 25 to 65 achieve a credential/license or degree by 2025. (Ohioans are currently at 43% of that attainment goal.)

The Ohio Salon Association is focused on cosmetology student success, school success and addressing workforce issues for all salons and job providers in Ohio. **HB 189** and **SB 129** accomplish these goals.

Thank you for your time and consideration. Please feel free to contact our lobbyist, Tony Fiore, at afiore@keglerbrown.com or 614-462-5428 if you have any questions about this legislation.



Elizabeth Murch
Executive Director



Tony Fiore
Legislative Counsel

OSA

OHIO SALON ASSOCIATION

Facts About HB 189/SB 129

May 31, 2018

Education

- **House Bill 189 (HB 189)** and **Senate Bill 129 (SB 129)** seek occupational licensure reforms to Ohio's cosmetology industry, including equalizing the number of required hours for private cosmetology schools and public vocational education programs at **1,000 hours**.
- Government should mandate only the minimum number of hours needed to ensure safe and sanitary cosmetology practices. HB 189 maintains that necessary training at **1,000 hours**.
- In late May 2018, Vermont Governor Phil Scott signed a bill (H.684) similar to and **validating Ohio's cosmetology bills**. The Vermont legislation sets the state's minimum formal training at 1,000 hours (down from 1,500) for cosmetologists and creates an apprenticeship program for students as well.
- Private cosmetology schools currently require **1,500 training hours** and tuition between **\$15,000 to \$30,000**, producing a substantial economic barrier to entry. The average cosmetology graduate accumulates up to **\$25,000 in debt**.
- Public vocational schools in Ohio already require around **1,000 cosmetology-specific training hours** and produce cosmetology graduates who enter the salon workforce at similar rates and success as private cosmetology school graduates.
- Students **remain eligible** to apply for financial aid for cosmetology programs requiring between 600 and 1,000 hours according to the General Standards of Student Eligibility for Title IV Funds published by Federal Student Aid, an office of the U.S. Department of Education.
- EMTs require only **150 hours** of training, police officers **695 hours** and licensed practical nurses **1,376 hours** of training, far less than students in Ohio's private cosmetology schools.
- Salon owners and a national study find that more time in school does not make students more ready to perform their jobs. And regardless of training hours required, students must still pass a **licensing exam** to become a working cosmetologist.
- The legislation also includes a provision for **pre-graduate testing**, allowing students to take the state licensing exam prior to finishing classes so students **more quickly enter the Ohio workforce** upon graduation.
- Illinois **recently passed** a similar bill (HB 4883) validating Ohio's provision, allowing its cosmetologists, estheticians and nail technicians to take their respective licensing exams prior to completing the required study hours.
- Ohio's more than 13,000 salons generate **\$1.6 billion** in annual revenue. HB 189/SB 129 seeks to remove burdensome education and employment barriers to help Ohio employers find the talent they need to succeed and grow, while allowing graduates to quickly enter the workforce with less debt.

Health and Safety

- The proposed 1,000-hour requirement includes, for the first time, a **statutorily mandated minimum of 26 hours** of safety, health and infection control training, **10 hours** of hair and scalp disorders and diseases training and continuing education dedicated to safety and sanitation.
- Nothing prevents schools from offering additional health and safety training throughout the remaining education hours.
- There are currently around 8,500,000 Ohio citizens over the age of twelve. The average person in that demographic visits a barber shop/beauty salon approximately 6 times per year, or 51,000,000 visits to salons and barber shops in Ohio annually. There are not the life threatening occurrences in beauty salons/barber shops suggested by opponents, because salon owners and licensees are, and will be, well-trained and take their obligation to the public very seriously.

Apprenticeship Opportunities

- More than **30 percent** (or 28 schools) of private cosmetology schools have closed in the past three years, leading to a decline in the number of available workers and educational opportunities for this in-demand occupation. We anticipate this number **continuing to grow** due to U.S. Department of Education Gainful Employment Act disclosures, requiring any non-degree program offered by non-profit or public institutions and all educational programs offered at for-profit institutions to lead to gainful employment.
- HB 189/SB 129 create an **apprenticeship option** based on a successful European model that allows students to **earn a wage while learning** the skills needed for a successful cosmetology career.
- The Vermont legislation (H.684) signed into law by Governor Phil Scott creates an apprenticeship program as well.
- An apprenticeship is an especially important option in parts of the state where cosmetology schools have closed, since Ohio's salons rely on the schools to train workers. **Nearly a third** of private cosmetology schools have closed in the past three years.
- Ohio would become the **21st state** to have this provision for apprenticeship programs.

License Reciprocity

- Ohio becomes **more competitive** with other states, because HB 189/SB 129 makes it unnecessary to take a licensing exam in Ohio if licensed in another state and permits work experience in other states to count toward Ohio licensing hours. Like obtaining a driver's license after a move, cosmetology workers would more easily and quickly be licensed and available to take on new jobs in Ohio.
- By reforming over-burdensome licensing laws that reduce barriers to workforce entry, HB 189/SB 129 support **Ohio's Attainment Goal 2025**, which includes having **65 percent** of Ohioans ages 25 to 65 achieve a credential, license or degree by 2025. (Ohioans are currently at 43% of that attainment goal.)
- Just as drivers who move to Ohio aren't automatically required to take a test in order to get an Ohio drivers license, cosmetologists licensed in another state shouldn't have to take another test to work here.

- Similar to HB 189/SB 129, the new Vermont law (H.684) also provides license reciprocity, without examination, for out-of-state cosmetologists if they are licensed or certified in good standing in another state and the other state's licensure requirements are substantially similar to Vermont's or materially less rigorous if the person has 1,500 documented hours of practice for at least 1 year.

Natural Hair Stylist license and Minority-Owned Businesses

- The Natural Hair Stylist license would **remain** in HB 189/SB 129.
- However, the Natural Hair Stylist license isn't often utilized. In 2017, there were just five active licenses and one new natural hair stylist license, and only 14 active and four newly-licensed natural hair stylist salons. However, that license will remain in these bills.

Provisions for Barbers

- These bills **do not** reduce the initial barber license hour requirements below 1,800.
- By way of comparison, there are roughly eight states now providing barber programs for 1,000 hours or less. This includes a new Vermont law (H.684), which lowers barber training hours from 1,000 to 750 and provides for a 1,500-hour apprenticeship track.
- The bills include two provisions affecting barbers, and both are to the **barbers' benefit**:
 - Barbers who wish to also obtain a cosmetology license would now need fewer training hours before sitting for the licensing exam.
 - Barbers would still be the only service providers allowed to provide straight razor shaving.

Additional Opportunities for salon owners and customers

- HB 189/SB 129 also add provisions that permit mobile salons and on-location cosmetology services, introducing **more options** to consumers and opportunities for entrepreneurs.
- 47 percent of salon businesses in Ohio are minority-owned and 77 percent of salon businesses are owned by women. HB 189/SB 129 will help these owners by ensuring they can find the talent and resources they need to grow their businesses.

OSA

OHIO SALON ASSOCIATION

Myths and Facts about HB 189/SB 129

May 31, 2018

1. Myth

Public school cosmetology students and those who receive training at private schools are treated the same under Ohio law.

Busted!

Ohio law today treats students very differently depending where they pursue an education in cosmetology. Private school students must complete 1,500 hours of cosmetology-specific training before taking the state licensing exam, whereas public school students are required to take only 1,000 hours of cosmetology-specific training. This is true despite evidence that public school students do just as well on the licensing exam and in the workplace as private school students.

2. Myth

HB 189 and SB 129 are sponsored by big chain salons who are interested staffing their shops more than they are in the quality of their cosmetologists.

Busted!

Salons of all sizes support these bills because they would put more Ohioans into good jobs throughout Ohio. They would do this by removing unnecessary barriers to education and employment, helping employers find the skilled talent they need to succeed and grow, promoting effective and efficient job training for in-demand occupations, and creating an apprenticeship option for cosmetology students to earn a wage while learning about the beauty industry.

3. Myth

Students will not qualify for student financial aid if House Bill 189 and Senate Bill 129 becomes law.

Busted!

Students **remain eligible** to apply for financial aid for cosmetology programs requiring between 600 and 1,000 hours according to the General Standards of Student Eligibility for Title IV Funds published by Federal Student Aid, an office of the U.S. Department of Education.

4. Myth

It's easy for a cosmetologist licensed in another state to take a job in Ohio.

Busted!

Under current law, someone licensed in another state gets very little credit for their experience. While a new rule currently provides a waiver for some out-of-state cosmetologists looking to transfer a license to Ohio, those are complicated to obtain and require at least a year experience immediately prior to a move. Otherwise, they must instead receive duplicative training and take another licensing exam, even if they were successful in another state.

HB 189/SB 129 would give Ohio transfers credit toward Ohio's training hours requirement according to their experience and would not require them to sit for Ohio's licensing exam. Like obtaining a driver's license in a new state, this would more quickly and easily allow cosmetology workers to obtain jobs in Ohio. This is particularly important in Ohio communities near the state border, where people often live in one state and work in another.

5. Myth

Reducing the hours required to sit for a licensing exam will particularly hurt women of color, who will lose protections designed to provide safe and consistent salon services in Ohio.

Busted!

Career tech programs in Ohio's public high schools teach full cosmetology skills in around 1,000 hours and produce thousands of graduates that practice in Ohio today. The legislation requires robust health and safety training, including 26 hours of safety, health and infection control training; 10 hours of hair and scalp disorders and diseases training; and a minimum of one hour dedicated to safety and sanitation in continuing education every two years. Further, 1,000 hours of training is still more than those required for many Ohio licenses in safety-related professions, including emergency medical technicians, police officers and paramedics. Tattoo artists receive no training on how to handle blood, though they handle it every day.

Moreover, efforts in other states are underway to lower occupational licensure hurdles. In fact, on May 21, 2018, Vermont Governor Phil Scott signed a bill (H.684) similar to and **validating Ohio's cosmetology bills**. The Vermont legislation sets the state's minimum formal training at 1,000 hours (down from 1,500) for cosmetologists and creates an apprenticeship program as well for students to earn a wage while learning their trade. It's time for Ohio to do the same.

6. Myth

Reducing from 1,500 to 1,000 the number of hours private school cosmetology students must take to qualify for the state licensing exam will result in ill-prepared cosmetologists and increased health and safety hazards in Ohio salons.

Busted!

Reducing the number of hours establishes a level of consistency between private and public cosmetology schools while at the same time making cosmetology education more affordable and accessible. It also enables students to move into the workforce more quickly at a time when these jobs are in high demand.

Ironically, the state of Ohio mandates **fewer or similar hours** of training for highly skilled professions such as police officers, licensed practical nurses and emergency medical technicians. The industry also accepts 1,000 hours of cosmetology-specific training as adequate training for public school students at Ohio vocational technical centers. Reducing the number of hours required for private school students puts them on an even playing field with public school students and removes a major barrier to entry into the profession.

Moreover, the legislation includes a provision for pre-graduate testing, allowing students to take the state licensing exam prior to finishing classes, so students **more quickly enter the Ohio workforce** upon graduation. Illinois **recently passed** a similar bill validating Ohio's provision, allowing its cosmetologists, estheticians and nail technicians to take their respective licensing exams prior to completing the required study hours.

The Ohio State Cosmetology and Barbering Board staff and inspectors do an admirable job of conducting random inspections, receive complaints through its 1-800 tip line and crack down on bad actors across the state.

There are currently around 8,500,000 Ohio citizens over the age of twelve. The average person in that demographic visits a barber shop/beauty salon approximately 6 times per year, or 51,000,000 visits to salons and barber shops in Ohio annually. There are not the life threatening occurrences in beauty salons/barber shops suggested by opponents, because salon owners and licensees are, and will be, well-trained and take their obligation to the public very seriously.

Finally, the legislation requires, for the first time, a statutorily mandated minimum of 26 hours of safety, health and infection control training; 10 hours of hair and scalp disorders and disease training; and continuing education every two years related to safety and sanitation.

7. Myth

The legislation de-emphasizes formal education in favor of apprenticeships for stylists.

Busted!

In many professions, a combination of formal education and apprenticeships is an ideal educational approach because it provides workplace experience and earnings while completing crucial classroom training. The apprenticeship model outlined in [HB 189](#) and [SB 129](#), based off a very successful European model, motivates schools and salons to work together on the initial 200 hours of education/training and allows apprentices to **earn while they learn** during 1,800 hours of hands-on training. Many private cosmetology schools have closed in Ohio, with rural areas being affected the most.

An apprenticeship is a viable alternative when access to schools is limited and recognizes that most of what a cosmetologist learns occurs on the job. More than a third of states authorize apprenticeships, including Vermont, which just **validated Ohio's cosmetology bills**, setting the state's minimum formal training at 1,000 hours (down from 1,500) for cosmetologists while creating an apprenticeship program. In fact, Ohio would become the **21st state** to include this provision.

8. Myth

The bill de-emphasizes enforcement of state law by reducing fines, making it easier for salons and cosmetology professionals to break the law with few consequences.

Busted!

HB 189 and SB 129 simply reflect changes in penalties instituted by the Ohio State Cosmetology and Barbering Board over the last few years.

9. Myth

The legislation dangerously allows cosmetologists to shave male customers in Ohio salons, even though the skill is taught only in Ohio barber schools.

Busted!

Anybody today can go to the store and buy a safety razor for personal grooming. There is no reason why cosmetology professionals should be prohibited from performing grooming services with a disposable safety razor while barbers retain sole authority to use a straight razor.

10. Myth

Elimination of natural hair licenses would leave African-American women who wear natural hair unprotected against those with no training in an unregulated marketplace.

Busted!

While this license is seldom used and, at 450 hours of training, is burdensome, the Natural Hair Stylist license would remain in HB 189/SB 129. The license WOULD NOT be eliminated. According to the State Cosmetology and Barber Board's 2017 Annual Report, there were only five active licenses and one new natural hair stylist license that year; one active and one new natural hair stylist instructor license; 34 active and 45 new advanced natural hair stylist licenses; and 14 active and four newly licensed natural hair stylist salons. The Ohio General Assembly in 2015 also created the boutique service registration for braiders in order to get these professionals out of the shadows of an underground economy.

11. Myth

Getting rid of the advanced license deregulates our profession.

Busted!

Ohio's advanced license doesn't provide students with marketable skills that result in higher wages. Further, it's not recognized in other states. Nothing prevents schools from offering advanced courses or as many hours of classes as they want. However, private schools now combine the initial license, requiring 1,500 hours, with the advanced license, at 300 hours, requiring students seeking an advanced license to complete an 1,800-hour program. This is unsustainable. The OSA supports changing the bill in the Senate to preserve the advanced license for those who hold it on the effective date of the bill, so they can indefinitely renew it.

12. Myth

HB 189 and SB 129 will also reduce the hours required to obtain an initial barbers license below 1,800.

Busted!

These bills **do not reduce** the initial barber license hour requirements. In fact, the bills only include two provisions affecting barbers, and both are to their benefit. Barbers who wish to obtain an additional license – such as a cosmetology license – would now need fewer training hours before sitting for the licensing exam. The bills also include a provision ensuring barbers will still be the only service providers permitted to provide straight razor shaving for customers.

13. Myth

This legislation favors the operations of the large national salon chains. Many conglomerate salons are moving into Ohio and threatening Ohio's homegrown, smaller and more numerous salons.

Busted!

Nationally branded salons are actually small local businesses. These local small businesses pay franchise fees to the national brand for using their brand. The local business owner pays wages, workers compensation, and unemployment in Ohio – not to the national chain. Nationally branded salons are a great place for new employees to work as they provide the opportunity for health care, vacation and personal leave and retirement savings options, all while gaining experience in the profession. Nationally branded salons also provide a career path for licensee-employees which will set them up for success at higher levels such as supervisory, managerial or home office promotions.

14. Myth

Ohio salons, mostly small entrepreneurial women-owned firms, rely on thorough licensing training to hire quality practitioners. These small firms cannot afford the additional infrastructure required if the training hours for licensing are reduced.

Busted!

Salons already provide on-the-job training for new employees. There is no skill difference in licensees coming out at around 1,000 hours from high school career tech programs and those at 1,500 hours from private schools and adult training programs. Changing the hours requirement to a floor not a ceiling will allow students to obtain jobs faster which will give business owners more candidates to choose from. The argument simply can't be made that the 1000 hours will produce poorly trained individuals, because Ohio's public schools have been producing qualified and successful students at around 1000 hours for many years.

Independent salons are more progressive than indicated. These are committed, savvy local owners that are very capable and use online resources provided by manufacturers, professional organizations and their peers. The availability of top-notch continuing education is at the fingertips of every beauty professional. The salon industry is known for its vast amount of education through hair shows, career fairs, events, seminars and conferences.

15. Myth

Less training would mean entry-level cosmetologists losing negotiating power leading to lower wages and reduced benefits.

Busted!

There is no data to support this claim. What's important is that the state is not imposing an insurmountable barrier to entry into a profession where safety and sanitation should be the chief regulation and requirement.

According to the U.S. Bureau of Labor Statistics the median hourly wage for hairdressers, hairstylists and cosmetologists was \$11.95 in May 2017. Wages are not dictated by cosmetology hours, but rather by the market cost of labor, cost of living and the overall workplace reality. Below is a list of the mean wages in states with their correlating hours, and it is clear there is no discernable pattern or significant difference that can be attributed to training hours.

District of Columbia	1,500	\$21.96
Delaware	1,500	\$17.09
Hawaii	1,800	\$16.17
Washington	1,600	\$19.56
Massachusetts	1,000	\$17.99
New Jersey	1,200	\$18.10
Virginia	1,500	\$17.82
Connecticut	1,500	\$16.29
New York	1,000	\$15.74
Maryland	1,500	\$15.16
Vermont	1,000 (2019)	\$16.24

There have been many references to a \$10/hour rate and a belief that hourly pay rates are higher in states requiring more training hours. Five states with required training hours between 1,000-1,250 hour states and their wages are as follows, as compared to Ohio:

Massachusetts	1,000	\$17.99
New York	1,000	\$15.74
Florida	1,200	\$15.37
New Jersey	1,200	\$18.10
Pennsylvania	1,250	\$12.77
Ohio	1,500	\$12.84

16. Myth

Larger salons often focus corporate training on in-house operations, not on the widely accepted safety and service standards in Ohio's current licensing program, thus further reducing the cosmetologist's marketability across the industry.

Busted!

Nationally branded salons would not be as successful as they are if they were dangerous and provided sub-par on-the-job training.

Public schools of cosmetology already graduate students who pass the current state exam at around 1,000 hours, and small salons are already currently hiring students who have around 1,000 hours of training.

No one who enters a profession is perfectly trained to handle all situations that come up while on the job. Once the basic education is mastered to ensure that safety, sanitation and basic skills are possessed by the licensee, then job experience is vital to perfecting the craft.

Internship and apprenticeship programs are provided for in HB 189/ SB 129 which expose the student to the work environment to allow them to gain valuable experience while earning a wage. This is invaluable in rural and other less populated areas where it is difficult to get experience.

28 Private Schools of Cosmetology have closed in Ohio since
May 2015 (or 30% fewer than 3 years ago)

WESTERN HILLS SCHOOL OF BEAUTY & HAIR DESIGN 6490 GLENWAY AVE CINCINNATI, OH 45211 Closed 4/22/2018	CAROUSEL OF MIAMI VALLEY BEAUTY COLLEGE 7809 WAYNETOWN BLVD HUBER HEIGHTS, OH 45424 CLOSED 9/6/2016	OHIO STATE SCHOOL OF COSMETOLOGY 5970 WESTERVILLE RD WESTERVILLE, OH 43081 CLOSED 12/2016
B FABULOUS NAIL ACADEMY 2234 E 55TH ST CLEVELAND, OH 44103 Closed 1/12/2018	REGENCY BEAUTY INSTITUTE 1912 BUCHHOLZER BLVD AKRON, OH 44310 CLOSED 9/28/2016	SUMMIT SALON ACADEMY 3330 PARKCREST LANE CINCINNATI, OH 45211 CLOSED 10/21/2016
Ohio Cosmo Beauty Academy 1113 Upper Valley Pike Springfield, OH 45504 Closed 3/1/2018	REGENCY BEAUTY INSTITUTE 4450 EASTGATE BLVD STE 260 CINCINNATI, OH 45245 CLOSED 9/28/2016	TRI COUNTY BEAUTY COLLEGE 155 NORTHLAND BLVD CINCINNATI, OH 45246 CLOSED 7/31/2017
OHIO COSMO BEAUTY ACADEMY LLC 6322 EAST LIVINGSTON AVE REYNOLDSBURG, OH 43068 Closed 3/30/2018	REGENCY BEAUTY INSTITUTE 155 GRACELAND BLVD COLUMBUS, OH 43214 CLOSED 9/28/2016	THE ARTISAN COLLEGE OF COSMETOLOGY LLC 1645 TIFFIN AVE FINDLAY, OH 45840 CLOSED 12/1/2017
GEORGIE INTERNATIONAL BEAUTY INSTITUTE 69 GRAHAM RD STE A CUYAHOGA FALLS, OH 44223 Closed 3/22/2018	REGENCY BEAUTY INSTITUTE 2040 MIAMISBURG CENTERVILLE RD DAYTON, OH 45459 CLOSED 9/28/2016	MIAMI-JACOBS CAREER COLLEGE 875 CENTRAL AVE SPRINGBORO, OH 45066 CLOSED 2/2017
EASTERN HILLS ACADEMY OF HAIR DESIGN 7681 BEECHMONT AVE CINCINNATI, OH 45255 CLOSED 5/2015	REGENCY BEAUTY INSTITUTE 1554 SPRING MEADOWS DR HOLLAND, OH 43528 CLOSED 9/28/2016	MIAMI-JACOBS CAREER COLLEGE 865 W MARKET ST TROY, OH 45373 CLOSED 2/2017
CAROUSEL BEAUTY COLLEGE 125 E 2ND ST DAYTON, OH 45402 CLOSED 9/6/2016	REGENCY BEAUTY INSTITUTE 5535 DRESSLER RD UNIT 9 CANTON, OH 44720 CLOSED 9/28/2016	MIAMI-JACOBS CAREER COLLEGE 6400 ROCKSIDE RD INDEPENDENCE, OH 44131 CLOSED 11/2017
CAROUSEL BEAUTY COLLEGE 1475 UPPER VALLEY PK RM 966 SPRINGFIELD, OH 45504 CLOSED 9/6/2016	REGENCY BEAUTY INSTITUTE 26508 LORAIN RD NORTH OLMSTED, OH 44070 CLOSED 9/28/2016	MERRILLVILLE BEAUTY ACADEMY 20880 SOUTHGATE PARKWAY MAPLE HEIGHTS, OH 44137 CLOSED 7/29/2016
CAROUSEL BEAUTY COLLEGE 633 S BREIEL BLVD MIDDLETOWN, OH 45044 CLOSED 9/6/2016	REGENCY BEAUTY INSTITUTE 11489 PRINCETON PIKE SPRINGDALE, OH 45246 CLOSED 9/28/2016	
CAROUSEL BEAUTY COLLEGE & THE SPA INSTITUTE 3076 WOODMAN DR KETTERING, OH 45420 CLOSED 9/6/2016	REGENCY BEAUTY INSTITUTE 34999 EUCLID AVE UNIT 25 WILLOUGHBY, OH 44094 CLOSED 9/28/2016	

NFIB

The Voice of Small Business®

TO: MEMBERS OF THE OHIO HOUSE

- On behalf of the nearly 25,000 members of the Ohio chapter of the National Federation of Independent Business (NFIB/Ohio), you are respectfully urged to VOTE YES on Substitute House Bill 189 (Roegner and Reece).
- Substitute House Bill 189 (HB 189) will help reduce barriers to employment for individuals seeking a career in the field of cosmetology, reducing the required number of hours to be eligible for licensure from 1,500 to 1,000. For perspective, Ohio requires a paramedic to have between 600 - 800 hours of training.
- HB 189 will make Ohio a leader in encouraging individuals to pursue a passion, do so in a reasonable timeframe, preserve public health and safety, all while helping to reduce potential student debt. Note that the 1,000 hours is simply a floor, not a ceiling. Individuals are free to obtain additional hours of training at their discretion to enhance their careers.
- We view HB 189 as an excellent first step in addressing Ohio's often burdensome licensure requirements for certain professions. As policymakers continue to advocate for opportunities to respond to employer needs, HB 189 will help the cosmetology industry meet its demands for qualified workers.
- You can be an EMT and save lives while only needing 800 hours of training, you can conduct million dollar home sales transactions with 120 hours, you can be responsible for childrens' lives, as a school bus driver, with 27 hours, and you can handle needles and blood with zero hours as a tattoo artist, but to be able to cut hair or apply skin products BIG state government says you must have 1500 hours of training!
- NFIB/Ohio may consider the vote on House Bill 189 a **Key Small Business Vote** of the 132nd General Assembly.

On behalf of Ohio's small-business community, NFIB/Ohio respectfully urges you to
VOTE YES on Substitute House Bill 189.



230 E. TOWN ST.
COLUMBUS, OH 43215
614.228-4201

WWW.OHIOCHAMBER.COM

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Larry Kidd

CHIEF OF STAFF
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February 28, 2018

The Honorable Louis W. Blessing III
Chairman, House Government Accountability & Oversight
Committee

Ohio House of Representatives
77 South High Street, 11th Floor
Columbus, Ohio 43215

Via Email:

GovernmentAccountability&OversightCommittee@ohiohouse.gov

RE: House Bill 189 Support

Dear Chairman Blessing:

On behalf of the nearly 8,000 members of the Ohio Chamber of Commerce, I write to you in support of House Bill 189; legislation that makes changes to Ohio's cosmetology law and reduces the licensure training hours from 1,500 to 1,000. HB 189 is designed to provide economic competitiveness and workforce growth for Ohio.

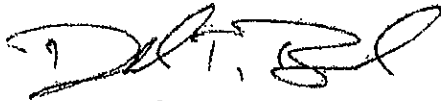
The Ohio Chamber of Commerce regularly tackles issues related to workforce development and business overregulation. Many times, our members express grave concern with the struggle to find qualified workers and that government regulations impede their ability to grow. An example of this is in the private cosmetology school setting where there is a requirement that an individual have 1,500 training hours before being able to sit for the state board examination. Many of these hours are spent in a classroom and not actually practicing the trade.

HB 189 is a common-sense reform that will translate into individuals achieving licensure more expeditiously. Salon owners throughout the state continue to cite staffing shortages and difficulty finding qualified employees that are not saddled with high student loan debt as chief concerns. Shortened cosmetology programs may translate into lower tuition costs and, in many cases, lower student loan debt. Lowering the barriers to entry, such a cost and a lengthy licensure process, can prevent individuals from foregoing cosmetology as a viable career path while not sacrificing quality.

Lastly, many salon owners are small businesses who already face a tremendous amount of regulation and red tape. The passage of HB 189 will send a clear message to these entrepreneurs that Ohio understands the challenges they face and wants to remove barriers to individuals entering this industry.

For these reason, we urge you to support HB 189. Please feel free to contact me if you have any questions regarding our opposition at dboyd@ohiochamber.com or (614) 629-0916.

Respectfully,

A handwritten signature in black ink, appearing to read 'Don Boyd', with a stylized flourish at the end.

Don Boyd
Director, Labor & Legal Affairs
Ohio Chamber of Commerce

Opinion

Charles A. Penzone: Bills would get more cosmetologists into workforce

Sunday

Posted Apr 8, 2018 at 5:00 AM

In Ohio, you can be an emergency medical technician after completing 800 hours of training, a police officer after 695 hours and a licensed practical nurse after 1,376 hours.

And to sit for a licensing exam to cut hair? Would you believe 1,500 hours of training?

Two bills are making their way through the Ohio General Assembly — House Bill 189 and Senate Bill 129 — that would reduce burdensome training requirements for those who want to work in Ohio's cosmetology industry. Both represent common-sense changes designed to put qualified people to work in good, in-demand jobs, more quickly. These changes are necessary, especially when employment of barbers, hairstylists and cosmetologists is projected to grow 13 percent from 2016 to 2026, faster than the average for all occupations, according to the U.S. Bureau of Labor Statistics.

As a salon owner for the past 50 years, I know how important it is to find qualified, well-trained professionals and how difficult it can sometimes be. Lowering the number of hours to 1,000 for students in all cosmetology schools has been supported by private schools of cosmetology, salon owners and licensees, and groups such as the Ohio Salon Association, The Institute for Justice, the Ohio Chamber of Commerce, the National Federation of Independent Businesses and The Buckeye Institute.

Those who get their training in vocational centers as part of a public high school education only receive around 1,000 hours of cosmetology specific training. Independent research has shown no justification for training in excess of the 1,000-hour mark before a cosmetologist begins working. Additional education is a good thing when it does not prevent someone from entering an industry.

These bills also make it easier to begin working in Ohio if you're licensed in another state by allowing work elsewhere to count toward Ohio licensing hours and removing the requirement that cosmetologists licensed in another state sit for the Ohio exam. It further helps encourage state-to-state license endorsement by changing from an Ohio-only licensing exam to a national exam that is approved and used throughout the country. A cosmetology license in Ohio will be treated much like a driver's license, which makes it easy to come to work here.

Updating the licensing requirements also has practical benefits for students. It not only encourages them to finish their programs by eliminating a strong source of frustration — the excessive time it takes to complete

them — but it also lowers the student loan debt the student will be burdened with as he or she starts working. In fact, students leave private cosmetology schools with between \$15,000 and \$30,000 in debt. Less time in school should equate to less student loan debt.

Cosmetologists have the potential to make more than \$100,000 annually after five to 10 years in the profession. But keeping them in a training program paying tuition for an additional 500 hours delays their accomplishment of their professional and financial goals.

Finally, the bills include criteria for allowing some students to fulfill part of their licensing requirement through apprenticeships, where they learn through hands-on, paid work under the tutelage of an experienced supervisor while still being required to complete additional classroom training. Salon owners rely on public and private cosmetology schools to produce the next generation of cosmetology licensees, but if private schools continue closing their doors (30 percent since May 2015), salon owners need the ability to sponsor apprenticeship programs to train their future workforce.

These bills don't eliminate the teaching of skills needed for professionalism, safety and health; they update them to make sense in today's job market. They also don't change the fact that cosmetologists need continuing education and training throughout their careers — cosmetologists still will need eight hours of professional education every two years to stay current.

I want to employ good people, provide good service and make my customers happy. Either of these bills would make it easier for me to find the people I need, when I need them, while removing barriers of entry for those who want to make their living in a professionally satisfying industry.

The General Assembly should pass these common-sense measures now.

Charles A. Penzone is founder and chairman of Charles Penzone Inc.

The Columbus Dispatch

Opinion

Letter: Bills would benefit women, minorities

Posted at 12:01 AM

Updated at 6:38 AM

Charles Penzone was absolutely right in his April 8 op-ed "Bills would get cosmetologists into workforce."

In Ohio, an EMT who makes life and death decisions receives less training than a cosmetologist in whose hands you place your hair. This is ridiculous and illustrates why Ohio needs to expand opportunities for women and minorities and remove barriers to employment.

Becoming a cosmetologist gives women and minorities — who compose the overwhelming majority of those in the industry — control over their own lives. That is why opposition to removing barriers for these people is so misguided.

It is shocking that opponents of reform, mostly for-profit schools, want to stop young people from getting hired more quickly while heaping mounds of debt on their shoulders and crushing their opportunities.

Policies harming the career opportunities for women and minorities in Ohio need to end. Helping cosmetologists is a good place to start. But it is only a start. There is much more to be done to expand the opportunities for success in Ohio and remove barriers to employment.

Quinn R. Beeson, The Buckeye Institute

Columbus



POSTED ON APRIL 21, 2018

1. Letter: Cosmetologists support change

LETTERS

The April 13 story concerning Senate Bill 129 ("Huffman tours Lima beauty school") reported on opposition to the bill while practically ignoring why Ohio Salons, cosmetologists and even schools support changes in the law.

First of all, there are not enough skilled cosmetologists to fill all the jobs available in Ohio. This is due to the significant number of private cosmetology school closings over the past few years and the barriers to entry erected by state licensing laws. I can speak from experience in this regard as a private school owner in the Lima area from 2002 to 2008. One of these barriers falls unfairly on private school students, who are forced to complete 1,500 hours of training while public vocational school students are considered fully trained after about 1,000. Never mind that success on the state cosmetology licensing exam and in the workplace is virtually identical for both private- and public vocational-school students.

Those who fear SB 129 and HB 189 will lead to lax health and safety measures in salons haven't read the bills. Both are explicit about the need to maintain high standards and include 26 hours of safety, health and infection control training; 10 hours of hair and scalp diseases training; and ongoing continuing education specifically for safety.

SB 129 and HB 189 provide the training necessary for students to be successful, remove unnecessary barriers, and help salons of all sizes find the highly skilled cosmetologists needed to fuel the economy and grow their businesses.

Greg Stolly, Lima

Former Owner, The Ohio State Beauty Academy

CRAIN'S Cleveland Business

Northeast Ohio's premier source for business news

Originally Published: April 29, 2018 4:00 AM Updated: A day ago

Letters to the editor: April 30, 2018

Regulatory overhaul needed in cosmetology

I am a licensed hair stylist, business owner and educator with three decades of experience in the beauty industry, and, with my husband, own and operate Paul Mitchell The School private cosmetology schools in Cleveland and Columbus.

We love helping our passionate students learn their trade and want them to successfully enter the workforce to employ their skills as soon as they have the training and education they need. But our industry needs a regulation overhaul, and House Bill 189 and Senate Bill 129 in the Ohio General Assembly would do that by reforming the training requirements for Ohio cosmetology students.

Notably, students attending private cosmetology schools like ours are required to complete 1,500 hours of training before sitting for their licensing exam. But cosmetologists who attend public high school vocational centers are able to become licensed after about 1,000 hours of cosmetology specific training — which, according to independent research, is entirely sufficient.

Keeping cosmetologists in training programs longer than necessary delays their opportunities to gain real-world experience and earn the money they need to support themselves and their families, and I am fully confident that 1,000 required hours will equip them with the tools they need.

As a private school owner, I am passionate about providing our students with a solid foundation to make a good living and set themselves up for lives and careers of success.

I want to get more students through our program and into the Ohio workforce, and this legislation will help us do just that.

I urge the Ohio General Assembly to do what is best for our students and Ohio, and pass these bills immediately.

NeCole Cumberlander
Co-owner, Paul Mitchell The School
(in Cleveland and Columbus)

Akron Beacon Journal/Ohio.com

Rowena Yeager: Common sense changes for cosmetology in Ohio

Rowena Yeager: Common sense changes for cosmetology in Ohio

Published: April 30, 2018 - 6:10 PM

By Rowena Yeager

Owning a salon in Twinsburg since 2001, with 30 years' experience as a stylist and now a member of the Ohio State Board of Cosmetology, I recognize the challenges in finding talented, hard-working cosmetologists to train and staff my business.

What I do see are today's repetitive educational regulations for students attending private cosmetology schools, as well as the burdensome requirements for cosmetologists wishing to obtain a license in Ohio when they move here from another state. These conditions don't help stylists successfully continue a career filled with employment opportunities.

Notably, students at private cosmetology schools must complete 1,500 hours of training before sitting for a cosmetology licensing exam, while the hours obtained for a vocational school stylist are around 1,000.

And my biggest interest in the cosmetology industry today is helping to create license reciprocity, or license endorsement, between states. Ohio's current laws make that difficult.

Fortunately, House Bill 189 and Senate Bill 129 are in the Ohio legislature, and if passed would reduce repetitive educational training and licensing requirements for those who want to work in the cosmetology industry. These bills are a practical approach to growing the state's job market and getting qualified people to work in strong, in-demand careers.

The bills would reduce the required training hours to 1,000 for all cosmetology schools, ensuring students complete these programs more quickly and with less student debt. Further, the bills would allow schooling and work hours in other states to count toward licensing in Ohio, and move Ohio to a standard national cosmetology exam.

These changes would create reciprocity, allowing out-of-state cosmetologists to quickly get licensed and working in Ohio when they move.

I have personal experience in this regard. My daughter attended cosmetology school in Utah and passed a licensing exam there with flying colors in 2012. When she returned to Ohio — because there is no reciprocity — it took two months and retaking the test in Ohio before she could receive her license and begin working here.

These proposed changes make sense. Again, those trained in public vocational centers currently receive around 1,000 hours of cosmetology-specific training, and the same two cosmetology manuals used across all schools in the country are based on a 1,000-hour program. I also understand it is my job as an employer to provide on-the-job extended education to my employees to further their skills. The knowledge I've gained over my career is more valuable as I share it, and my goal for each of my stylists is to set them up for success.

Finally, we need to get students into the workforce faster to help them develop the necessary skills. Both of these bills help to do that with provisions to allow apprenticeships. In that way, students can gain education toward receiving their license on the job while earning a wage.

I'm extremely excited to teach these apprentice employees in my own salon under my mentoring. Right now, when students attend school, they perform services and do not get paid. Loan debt in our country has become burdensome, and many times is not repaid by a student. These loans eventually default to the schools and then put the schools in a financial situation where they lose their funding and must close. There are seven more schools slated to close soon due to these circumstances.

The need for these changes is highlighted by the fact that the employment of barbers, hairstylists and cosmetologists is projected to grow faster than the average for all other occupations through 2026. And these bills have been supported by private and public schools of cosmetology, salon owners and licensees, and groups such as the Ohio Salon Association, the Institute for Justice, the Ohio Chamber of Commerce, the National Federation of Independent Business and the Buckeye Institute.

H.B. 189 and S.B. 129 also ensure that safety and sanitation are kept in the highest regard, both in holding salons accountable and in maintaining the education standards for safety and health within those 1,000 hours.

With these common sense regulations, we can prepare the next generation of talented cosmetologists and get Ohioans into their desired careers quickly, safely and with much success. The salon industry needs these changes, and our customers, as well as the state's workforce, will benefit from additional hard-working, ambitious stylists.

I urge members of the Ohio legislature to pass H.B. 189 and S.B. 129 now.

Yeager is the owner of the Studio Wish Salon in Twinsburg.

The Marietta Times

Ohio needs to ease cosmetology rules

Letters to the Editor

May 7, 2018

As the general manager of multiple salons in southeastern Ohio and West Virginia, we've been successful in growing our business and putting talented stylists to work across two states in this rewarding profession.

However, it's increasingly difficult for us to staff our Ohio locations, in part because it's so expensive and time consuming to obtain a cosmetology license in Ohio, and difficult to transfer an out-of-state license to this state.

House Bill 189 and Senate Bill 129 are in the Ohio General Assembly and will reduce the burdensome training requirements for those who want to work in Ohio's cosmetology industry, and make it easier to work in Ohio if licensed in another state.

I have first-hand experience in this regard, as I recently tried to bring a talented and experienced stylist from Florida to one of our salons in Ohio. Though she's been working in the industry since 1994, we were unable to get her an Ohio license unless she passed the entire cosmetology licensing exam. There were other delays as well, and after three months, we instead applied for a license in West Virginia. Within two hours, she was approved to begin work at one of our Wheeling locations.

Because of these ridiculous hurdles, the state and our Ohio customers lost out on a talented stylist.

These bills would greatly benefit those looking for jobs in Ohio, and allow us to draw talented, licensed workers from across the country to staff many of our Ohio locations. I strongly encourage the Ohio General Assembly to pass these bills now!

Teresa LeMasters

General Manager, Great Clips salons

R.L.O., Inc.

Tribune Chronicle

Support Ohio's cosmetology bills

Letters to the Editor

May 13, 2018

We are the owners of several hair salons in Trumbull, Mahoning and Lake counties, as well as in Pennsylvania, providing top-notch styling services to our customers and proudly employing more than 100 talented individuals in this rewarding profession.

While successful, it has become extremely difficult for us to staff our locations, in part, because it's so expensive and time consuming for students to obtain a cosmetology license in Ohio, and difficult to transfer an out-of-state license to Ohio.

House Bill 189 and Senate Bill 129 are pending in the Ohio General Assembly and will lessen excessive training requirements for those who want to work in Ohio's cosmetology industry, while making it easier to work in Ohio if licensed in another state. These bills would greatly benefit those looking for jobs in Ohio, and allow us to draw talented, licensed workers from Pennsylvania to staff our Ohio locations.

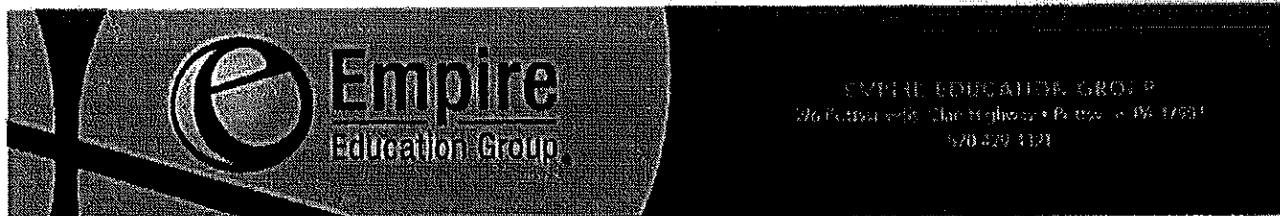
Ohio requires 1,500 hours of training to sit for a cosmetology licensing exam for students attending private cosmetology schools, even though students at public vocational schools need to complete around only 1,000 hours. Police officers for example train for only 695 hours.

These bills would reduce required hours to 1,000 for all schools, while maintaining the safety and skills training to keep customers safe. Meanwhile, cosmetologists licensed in another state can use their work hours elsewhere to count toward Ohio licensing, and would not need to sit for the Ohio exam.

These bills encourage job growth in Ohio, benefit small business owners and customers, and we strongly encourage the Ohio General Assembly to pass them now.

DANA and DEBBI DEVEREUX

Howland



May 22, 2017

Re: Bill 189

Dear Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde and members of the House Government Accountability and Oversight Committee,

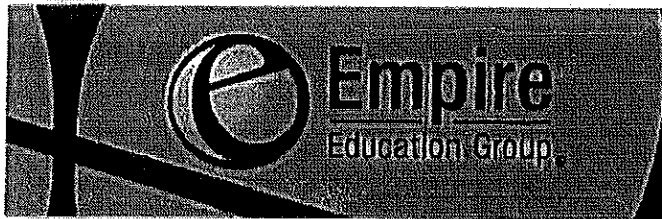
My name is Frank Schoeneman and I am CEO of Empire Education Group. We operate 88 Campuses across 21 States that specialize in Cosmetology education programs. We train and educate students in programs that range in length from 1,000 hours to 1,800 hours. As a result, I feel that I am qualified to speak about the legitimacy regarding the length and efficiency of the programs within that range.

Bill 189 which is before you for consideration is an important, innovative piece of Legislation that is at the leading edge of a nationwide reform movement. There has been much conversation regarding this Bill. It is our belief that much of the objection to Bill 189 has been focused on protecting a model that has not been revised in a number of years. That alone should be motivation to look at reform. This Legislation looks to address millennial learners and above. With the proliferation of on-line information like Facebook, You Tube and other forms of multi-media, students enter all forms of education with more than a pedestrian level of information about their career pursuits. That doesn't negate the necessity for the education; it's just a fact about our culture today.

Any claims that a reduction to 1,000 hour will compromise the education or put the general public at risk are, simply put, fabricated fantasy. We operate in two States that require a minimum of 1,000 hours and we have found that the quality of education is at least equal to that in our 1,500 or 1,800 hours states, largely because at the conclusion of their education *all graduates* are entry level employees. What we have not found is that there is a proliferation of health or safety concerns amongst clients.

A few things that bear noting:

1. We charge approximately \$12.00 per hour for our education. As a result, our overall, total charge by program is dictated by length of the state-mandated program.
2. We believe that streamlining and normalizing hours is the best strategy to pre-empt any attempts to deregulate our industry. De-regulation would be in our opinion, a real detriment to the safety and sanitation of salon clients.



EMPIRE EDUCATION GROUP
300 N. 10th St. • Erie, PA 16501
570.429.4121

3. 1,000 hours does not create a poorly trained entry level graduate. Poor programs and/or educators do.
4. A 1,000 hour minimum requirement still allows institutions in Ohio to offer a 1,500 hour program if that is what they feel is best for their students. Student Aid Funding rules allow schools to offer the program at up to 150% of the minimum state requirement if they feel it is educationally justified. At Empire we have a time tested viable educational model for 1,000 hours. Passing this reform Bill allows us to reduce the hours by one third ... thereby reducing the time the students spend in school. The result would be less student debt when they graduate.
5. A 1,000 hour program will allow a student to graduate approximately 3-4 months sooner. This allows our students to get to the workplace sooner, allowing them to earn more income as opposed to being in school racking up more debt.

In closing, I applaud the Committee's Leadership for continuing to take bold steps as innovators in vocational education reform. Whether a graduate chooses to pursue work in a "Mom and Pop" salon, a High End Full Service Salon or a Chain Salon, a 1,000 hour education does not eliminate those choices for their professional endeavor.

Respectfully Submitted,

Franklin Schoeneman
CEO/Chairman



Volume #86, Report #245 -- Thursday, December 21, 2017

Speaker Tasks Universities With Engaging High Schoolers Impacted By Opiate Epidemic

University presidents are coming together to devise strategies for reaching out to youth impacted by the opiate epidemic.

They're doing so at the request of Speaker Cliff Rosenberger (R-Clarksville), who said he was recently inspired by a group of Waverly City Schools students impacted by addiction.

Many students in that district live with someone other than their parents and lack access to role models who can highlight life skills and opportunities to grow, he said in a recent column.



Speaker Rosenberger

Speaker Rosenberger said he believes universities can serve as the sources of those mentors.

"It's our communities who are going to help us in the drug epidemic, so how can we get college students to be those big brothers and sisters and give them some credit maybe for service-oriented things," he told reporters last week.

Another facet of his charge to universities is to consider how at-risk high school students can volunteer to earn credits toward college tuition, he said.

"Maybe they earn some credit or some dollars toward college credit so that they can have some ability to go out and do something," Speaker Rosenberger said.

Because reaching out to underserved populations dealing with the opiate crisis will be a priority for the legislature in 2018, he said he's eyeing legislation that would implement such mentorship and volunteer programs statewide. (See Gongwer Ohio Report, December 15, 2017)

University presidents began brainstorming immediately after meeting with the speaker earlier this month and will come back together in January to decide which ideas should be proposed, said Bruce Johnson, president of the Inter-University Council of Ohio.

Institutions have an essential role in the state's ongoing fight against opioids, he said, pointing to research that shows Ohioans with college degrees are 14 times less likely to die of overdoses than those who have only high school diplomas.

"One of the fundamental ways to attack opiate abuse in the state is to have a higher percentage of people in the state obtain a higher education," Mr. Johnson said.

"Students, particularly in hard-to-reach areas of the state, having mentors would help them manage their way through the difficulties and find their way to a public university," he added.

In areas of the state where the opiate epidemic has hit hardest, encouraging students to want to go to college is key because they often don't see higher education as a potential pathway, Mr. Johnson said.

"I think the thing that's really going to give students hope is a pathway which involves access to higher education," he said.

For that reason, it's possible the forthcoming plan will propose financial assistance for high school students who participate in a mentorship program and can show perseverance, Mr. Johnson said.

"Earning your way toward a college scholarship would be a great use of the state's resources," he said.

Any legislative proposals that come from the president's recommendations would be in addition to what universities are already doing on the opiate front, he said. Each university has undertaken initiatives to address the issue.

At Ohio University, low-income patients with substance abuse issues can receive free or low-cost treatment and drug dependent mothers-to-be are eligible for access to medication-assisted treatment programs, obstetrical care, social service benefits and other services. Similar services are provided at other university hospitals throughout the state.

Meanwhile, University of Akron is looking to help students who may be dealing with addiction by working with community agencies to develop supports and programming.

In the research realm, the University of Cincinnati recently received a \$1.5 million Third Frontier grant aimed at the epidemic. That total is in addition to \$32 million in research funding that's been awarded to the university to be put toward the cause.

Other universities are offering up their own dollars in an effort to find innovative solutions to the state's drug problem. The new Opioid Innovation Fund at Ohio State University will provide \$1 million in grants to public-private partnerships that develop programs or technologies to reduce the burden of the opiate crisis.

Right-To-Work, Prevailing Wage Proposals Unveiled In House

A slate of ballot proposals targeting labor laws was introduced Thursday in the House, drawing immediate pushback from one of the state's largest union groups.

The six joint resolutions from Rep. John Becker (R-Union Twp.) and Rep. Craig Riedel (R-Defiance) would ban mandatory union dues for both public and private employees, limit prevailing wage and make other changes guaranteed to spark protests among Ohio's unions.

If passed by lawmakers, the issues would be placed on the 2020 ballot for voters to weigh in, according to Rep. Becker. He said he chose the resolution route after his prior legislative efforts went nowhere.

"It has to do with making Ohio more competitive," Rep. Becker said in an interview. "Currently, Ohio is being left behind. Four out of five of Ohio's neighboring states are right to work. With 28 (right-to-work) states in the union, the trend is clearly in that direction."

Two of the resolutions (HJR 7 & HJR 8) would ban any laws, rules or agreements requiring public and private sector employees to join or pay union dues. They would also prohibit unions from representing non-members in employment-related matters.

Other resolutions would:

- Prevent a public authority from requiring a contractor on a public improvement project to pay workers the prevailing rate of wages (HJR 9).
- Forbid certain requirements or prohibitions regarding labor agreements in government contracts (HJR 10).
- Subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative (HJR 11).
- Prohibit dues and other fees from being deducted from the payroll check of a public employee and prohibit those fees from being used for political purposes unless authorized by the employee (HJR 12).

Along with Messrs. Becker and Riedel, nine other representatives have signed on as cosponsors of one or more of the resolutions.

Rep. Becker said Republican leaders, House Speaker candidates and Republican gubernatorial candidates have all told him the same thing: If Ohio is to become a right-to-work state, it needs to be a decision driven by voters.

"They've all got this one consistent theme: the voters have to decide," Rep. Becker said. "I'm taking them at their word and saying fine, let's move forward with that. That's what these resolutions would do. They go on the ballot for people to decide."

Brad Miller, a spokesman for House Speaker Cliff Rosenberger (R-Clarksville), said the speaker will review the proposals.

"The issue of right-to-work has been brought forward numerous times in recent years, and it always generates an important and interesting discussion amongst the caucus," Mr. Miller said. "Since Rep. Becker's resolution was introduced just today, Speaker Rosenberger will review the legislation and will seek input from caucus members before any potential future actions are determined."

Tim Burga, president of the Ohio AFL-CIO, said that neither employers nor employees in Ohio are seeking these changes.

"These proposals are a frontal assault on workers," Mr. Burga said. "It does three things: It takes away rights at work, it drives down wages, and it strips workers of their political beliefs. It's really policies that attack the foundation of what's been a catalyst to create Ohio's working class."

Ohio House Democrats will likewise fight the proposals should they gain traction, with Minority Leader Fred Strahorn (D-Dayton) calling them "dangerous, divisive bills."

"Taxpayers expect us to work together to increase opportunity and create jobs with wages and benefits that can sustain a family," Rep. Strahorn said. "These anti-worker, anti-family restrictions will do the exact opposite."

Opponents point to the public's rejection of 2011's Senate Bill 5 - in which voters voted 62-38% to repeal a law that limited collective bargaining for public employees - as evidence that Ohioans don't support such a move. (See Gongwer Ohio Report, November 8, 2011)

For that reason, Gov. John Kasich, commenting on prior right-to-work legislation from Rep. Becker and others, has said right-to-work is "not on my agenda."

But Rep. Becker contends that SB5 (129th General Assembly) wasn't truly a right-to-work bill was but more focused on strikes, benefits and union negotiations. In his view, voters haven't weighed in on the issue since 1958 when voters by a 63-36% margin rejected a right-to-work amendment.

Rep. Becker said he approached Rep. Ryan Smith (R-Bidwell) and Rep. Larry Householder (R-Glenford) about supporting the resolutions but neither has signed on at this point as a cosponsor. Both men are vying to succeed Rep. Rosenberger as speaker.

But the sponsor said he believes the measures would have support in the caucus.

"In conversations with plenty of other colleagues beyond those nine (cosponsors) it's a whole lot of, 'We don't want to go on record with it' or 'we want to see which direction it goes,'" Rep. Becker said. "They just don't want to be in front of it right out of the gate. There's a lot of support, it's just not necessarily public."

Mr. Burga, though, said the proposals are a "political assault authored by out-of-state interests."

"It's never a good time to introduce bad policy but again this is an extreme measure without a constituency," Mr. Burga said. "I would say Ohioans deserve better than this. Just like on Senate Bill 5, we will fight these proposals and encourage legislators to work together to find common ground to create jobs and raise wages."

Children Services Agencies See Growing Burden From Drug Crisis; Overdose Deaths Tallied

The opiate epidemic continues to put a strain on Ohio's foster care system, with a thousand more kids expected to spend the holidays in foster care this year compared to 2016, a report released Thursday found.

The Public Children Services Association of Ohio said the drug problem is driving a dramatic surge in demand for foster care, with the number of children in agency custody rising from 12,654 in July 2013 to 15,145 last July.

At this rate, the state would reach 20,000 kids in care by 2020, with the cost of placing them in foster homes and residential facilities rising to more than \$500 million per year.

"We are sounding the alarm now - we need help," PCSAO Executive Director Angela Sausser said in a statement. "We need substantially more state resources before we lose the ability to provide essential services to vulnerable children."

The data indicate increasing rates of growth in the number of children in care, with the total rising from 15,145 on July 1 to more than 15,500 on Oct. 1.

The association pointed to some help it received from the legislature in the budget bill (HB 49), an additional \$15 million. Yet foster care placement costs have increased by about \$45 million since last year, not counting staffing or other agency services, the group said.

"Ohio needs a long-term solution to this crisis - and leadership to get us there before agency budgets collapse and our workforce jumps ship," Ms. Sausser said. "We already have a lack of available foster homes in Ohio. With the projected increases, we will have children sleeping in county agency lobbies with no available foster family to take them in."

Other state efforts include work by Attorney General Mike DeWine's office including a 14-county pilot project designed to help families affected by parental opioid abuse. (See Gongwer Ohio Report, March 24, 2017) Another effort by the AG's office provides more funding for children services agencies to boost the number of foster families available. (See Gongwer Ohio Report, December 20, 2017)

Ms. Sausser pointed to work in California, where that state is realigning services along a continuum of care.

The increase in placements, she said, doesn't include the number of children placed with relatives.

"Placing abused and neglected children with kin leads to better long-term outcomes and is far less costly to government, but it means that grandparents on fixed incomes and aunts with kids of their own must find a way to pay for food, clothes, child care and other expenses," she said. "The legislature stepped up again and provided \$15 million a year in federal funds to create child care assistance for kinship families. However, that program has been delayed."

Overdose Totals: In a related development, new data released by the federal government show Ohio with the second-highest rate of drug overdose deaths in the country at 39.1 per 100,000 in 2016.

The numbers released by the National Center for Health Statistics showed Ohio with 4,329 overdose deaths last year, up from the 4,050 reported by the Department of Health in August. (See Gongwer Ohio Report, August 30, 2017)

Ohio's overdose total was exceeded only by those of Pennsylvania, California and Florida.

In terms of the death rate, Ohio's 39.1 per 100,000 ranked behind only West Virginia, which had a rate of 52. New Hampshire was at 39.0, the District of Columbia at 38.8 and Pennsylvania at 37.9.

National totals showed a continued increase in deaths from heroin and other opioids, coupled with a dramatic surge in the number of deaths from synthetic opioids other than methadone. Those deaths totaled 3,105, or 1 per 100,000, in 2013, but rose to more than 19,000, or a rate of 6.2, in 2016.

House Republican Announces Plan To Crack Down Drug Dealers

Drug dealers in Ohio could face much stiffer penalties under a proposal unveiled Thursday.

Rep. Scott Wiggam (R-Wooster) announced plans to introduce legislation that would boost trafficking charges for all Schedule I and Schedule II substances, with the exception of marijuana, to a minimum third-degree felony that carries a mandatory prison term.



Scott Wiggam

"No longer will drug dealers be able to operate in this state with little fear for the law," Rep. Wiggam said during a Statehouse news conference.

While the lawmaker praised the state's effort to combat the drug epidemic, including \$180 million in the two-year budget (HB 49), he said deterrence and accountability are missing, and hopes his bill will provide those two components to the fight.

Over the past four years, he said, overdose deaths have skyrocketed by 212%, while traffickers going to prison fell by 4% over that same time period.

"Ohio's law is too weak to deter drug traffickers from continuing to flood our streets with their products," he said. "Law enforcement officers have grown weary and demoralized from arresting the same criminals for drug trafficking only to see them released into our society with little more than a slap on the wrist."

Wayne County Prosecutor Dan Lutz voiced that frustration. He said a trafficker in his county was recently arrested after knowingly selling heroin mixed with fentanyl that led to a user's overdose death. Among the charges his office brought was involuntary manslaughter, which was later amended to reckless homicide.

Nonetheless, Mr. Lutz said the judge in the case was not pleased with the man being charged for the death of the user and told defense counsel to seek a bench trial, which they did. The individual was eventually found guilty of a single drug trafficking charge.

"Amazingly, he sentenced him to only probation," Mr. Lutz said, adding the man went right back to selling heroin.

The bill will not differentiate between those who are trafficking large amounts of drugs for profit and those who are selling small amounts to support a habit. Mr. Lutz said both are killing people by selling deadly drugs.

"We want to deter that," he said. "We want to make it too costly to do that."

Despite the bill treating addicts and large-scale traffickers the same, Rep. Wiggam said it does not take away from changes in law in recent years that have sought to treat those two groups of individuals differently in the criminal justice system.

"If you are an addict and you are selling, you are still engaged in selling," he said.

As for the impact on the state's prison population, Rep. Wiggam said he is unsure exactly how his legislation will impact the numbers. He added that the Department of Rehabilitation and Correction has yet to take a position on the bill.

But Mr. Lutz said when discussing the state's prison population, the cost-benefit analysis does not take into account the cost savings from not having people on the streets "wreaking havoc."

"Some people need to be locked up in prisons, and these are those people," he said.

Asked about the philosophy of some in the law enforcement community, including Attorney General Mike DeWine, who has repeatedly said the state cannot "arrest its way out" of the drug problem, Mr. Lutz said that attitude needs to change.

"We've got to prevent people from getting on this stuff in the first place," he said.

Mike Brem, president of the Ohio Task Force Commanders Association, likened the battle against opioids to the fight against crack.

"We feel this penalty increase will deter drug traffickers as it did the same way with the crack epidemic in the 80's," he said.

The legislation, dubbed the "Drug Trafficking Deterrence Act," has 18 co-sponsors, according to Rep. Wiggam.

The bill also has the backing of the Ohio Prosecuting Attorneys Association, the Buckeye State Sheriffs' Association, the Ohio Association of Chiefs of Police and the OTFCA, Rep. Wiggam said.

'Significant Update' On Belmont County Ethane Cracker Slated For 2018

A Thai petrochemical company now says it will have news on whether it plans to move forward with a proposed world-class ethane cracker plant sometime after the new year.

PTT Global, Gov. John Kasich and JobsOhio leaders in 2015 announced at a Statehouse press conference that the company - Thailand's largest petrochemical and refining company - was eyeing Belmont County for the \$6 billion plant. (See Gongwer Ohio Report, April 22, 2015)

A final investment decision was initially expected in 2016 but was then pushed to 2017. Last February, the company announced it would postpone a final decision until late 2017 but with January drawing near the lack of recent news has kept locals hoping for an announcement in suspense. (See Gongwer Ohio Report, February 17, 2017)

On Thursday, the company foreshadowed a "significant update" sometime early next year.

"PTTGC America will have a significant update that will demonstrate momentum for this project early in 2018," the company said. "We thank all Ohio and Belmont County partners for their support, and we wish you a happy holiday season."

The last news of the project came in October, when JobsOhio and PTT representatives met in Washington D.C. to ink a memorandum of understanding. In the MOU, the parties agreed to establish a community infrastructure development plan after a final investment decision has been reached. (See Gongwer Ohio Report, October 6, 2017)

Asked about the project's status, JobsOhio spokesman Matt Englehart said talks are ongoing.

"While a final investment decision has not yet been made, PTTGCA continues to collaborate with JobsOhio and local partners while investing time and resources to move this project forward," he said.

JobsOhio and the Kasich administration have touted the potential project as a boon for region that will draw in jobs and economic revitalization.

The company had committed to a \$100 million investment as it considers the move and earlier this year purchased 168 acres from FirstEnergy for the site to the tune of \$13.8 million.

Despite that, the potential development of similar plants in nearby West Virginia and Pennsylvania subsequent to PTT's 2015 announcement has sparked speculation from those not involved in the talks regarding the Belmont County project's future.

Federal Judge Dismisses Property Owners' Lawsuit Against Nexus Pipeline

A federal district court judge has tossed out a lawsuit from dozens of Ohio property owners seeking to halt work on the Nexus Pipeline.

But it's hardly the only lawsuit targeting the construction of the \$2 billion, 255-mile natural gas pipeline that's yet to be resolved.

In May, 39 households - comprising 65 individuals - sued the company and the Federal Energy Regulatory Commission in an effort to halt the project.

The property owners said the company is improperly using eminent domain and argued FERC has failed to provide adequate information to homeowners regarding their options. (See Gongwer Ohio Report, May 15, 2017)

A magistrate in August issued a recommendation that the court deny plaintiffs' motion, opining that without formal FERC approval the court lacks adequate jurisdiction. (See Gongwer Ohio Report, August 8, 2017)

Weeks later, FERC approved the project, which Nexus argued in court filings made the lawsuit moot. Construction was then authorized to begin in October after several preconstruction conditions were met. (See Gongwer Ohio Report, October 13, 2017)

Judge John Adams agreed with the magistrate and his ruling this week from the U.S. District Court for the Northern District of Ohio adopts the magistrate's prior recommendation in its entirety.

Plaintiffs may now appeal to the U.S. Sixth Circuit court of Appeals. That's the same court that late last month voted 2-1 to stay construction on an eight-mile stretch of the pipeline through the city of Green. (See Gongwer Ohio Report, November 27, 2017)

Green is one of several localities - with others including Oberlin, Bowling Green and Medina - that have protested the project.

Green's lawsuit argues the Ohio Environmental Protection Agency granted the project a 401 certification improperly because the agency was not provided with practicable alternative routes with a smaller adverse environmental impact.

Sierra Club had also sued FERC over the pipeline's status, pressing D.C. circuit court to require FERC to rehear the case. But the group was forced to petition for the case to be

dismissed after the landowner at the heart of the complaint agreed to sell land to Nexus for the project.

Groups Highlight Economic Impacts Of 'Dreamers' In Push To Restore DACA

If Congress doesn't act to continue the Deferred Action for Childhood Arrivals program, Ohio could lose out on as much as \$12 million per year in tax revenue, according to a new report.

That total is how much the 9,000 Ohioans who are eligible for the program are currently paying in taxes, Policy Matters Ohio reported Thursday. All would be lost, however, if the protections for immigrants who are working and attending school are eliminated and those so-called Dreamers are deported.

If those same individuals stay in the state without DACA, many would likely take on lower-wage jobs, resulting in an estimated \$5 million tax revenue loss, the think tank said. About 4,000 Ohioans are actually participating in the program.

"Allowing DACA protections to expire would really hurt Ohio but passage of a Dream Act could boost out long-term economic output," Daniel Ortiz, outreach coordinator for Policy Matters Ohio, said in a conference call with reporters.

If Congress acts to reauthorize the program that was nixed by the Trump Administration in September, the state's gross domestic product could see a long-term annual impact of \$92 million, Mr. Ortiz said, citing Center for American Progress estimates.

Ohio's GDP could increase by more than \$300 million annually if half the eligible Dreamers earn college degrees to obtain permanent residence, he said.

"The Dream Act would put these young immigrants on a path to pay their taxes like everyone else and really could facilitate open participation in our communities," Mr. Ortiz said.

U.S. Sen. Sherrod Brown (D-Cleveland) has said he's working with Republicans on a bill that would continue protections for the children of illegal immigrants, however those who are impacted by and supportive of the program say Congress can't move quick enough. (See Gongwer Ohio Report, December 20, 2017)

If a continuation or replacement isn't approved by March 5, as many as 1,200 Dreamers per day throughout the country will see their DACA authorizations expire, Mr. Ortiz said. Under the administration's plan, those who are currently part of the program will be sheltered until their permits expire or up to two years, whichever comes first.

Elvis Saldias, a DACA recipient who lives in Columbus, said his permit expires in about six months and he's not legally permitted to continue working as a property claims adjuster if his authorization lapses by even one day.

The recent Ohio State University graduate who came to America from Boliva more than 15 years ago said he would also no longer be able to continue mentoring the state's youngest immigrants attending Columbus Global Academy.

"I need to continue doing what I'm doing," he said, adding: "I can't imagine the urgency behind those (whose authorizations) have already expired."

Mr. Saldias told reporters the DACA application process, which includes an extensive background check, takes about five months from start to finish - another reason legislation needs passed as soon as possible.

"If they pass a bill today, it doesn't mean we're going to get our renewed DACA...in the mail," he said.

Lynn Tramonte, Director of America's Voice Ohio, called the DACA rescission a crisis, saying Congress can't wait until it's up against the March deadline to make a decision.

"The deadline was September," when the administration stalled the program, she said on the conference call. "People became ineligible suddenly overnight and were unable to apply. Those qualified for renewal were cut off. It's a crisis and...it has really impacts on everybody's lives."

Calls for quick action are growing louder for DACA to be Congress's next order of business now that it's finalized a tax overhaul and appears headed for a Friday vote on another stop-gap funding bill to prevent a government shutdown.

On Wednesday, Gov. John Kasich joined 10 other governors in asking Congress to quickly find a bipartisan solution to the issue. About 800 colleges and universities in the country, including a handful from Ohio, have also pressed for a resolution. (See Gongwer Ohio Report, December 20, 2017)

U.S. Sen. Portman (R-Terrace Park) has said there is an interest in reinstating DACA into permanent law, but it may come with some parameters, such as a workforce enforcement program.

The Federation for American Immigration Reform, which backed President Trump's longtime plan to end the program and leave its future up to Congress, has also said DACA's recession opens to the door to create a larger immigration strategy that could include building a southern border wall and defunding sanctuary cities.

"Congress should seize this opportunity to come together and forge these much-needed reforms in our nation's immigration policy," the group said in a statement.

High Court Green Lights Tax Board To Take Up \$500K NASCAR Appeal

The Board of Tax Appeals erred in dismissing an appeal filed by NASCAR, the Ohio Supreme Court ruled Thursday.

In a 6-1 per curiam decision, the court sided with the Florida-based company by finding that the BTA has jurisdiction to hear an appeal even when the notice is filed by an individual not licensed to practice law in Ohio on behalf of a taxpayer with authorization.

The decision hinged on a 1980 ruling in *Jemo Assoc., Inc. v. Lindley* in which the court found that any authorized agent may file an appeal on behalf of a taxpayer, even if doing so amounts to the unauthorized practice of law, the court's media arm reported.

After conducting an audit for tax years 2005 to 2010, the Department of Taxation in 2012 determined NASCAR failed to pay the Commercial Activity Tax for broadcasting its product in Ohio.

The company was assessed \$549,520, but filed a petition for reassessment with the tax commissioner, who affirmed the finding.

NASCAR then took its case to the BTA. But because its notice of appeal was filed by a Florida attorney not licensed to practice in Ohio, the BTA dismissed the case.

The high court, however, found that the BTA was wrong to do so.

"In this case, there appears to be no dispute that NASCAR authorized Bowen to file the notice of appeal to the BTA," the court wrote in its decision. "So under (state law) and *Jemo*, the notice of appeal filed by Bowen properly invoked the BTA's jurisdiction. Therefore, the BTA erred in dismissing NASCAR's appeal for lack of jurisdiction."

Justice Patrick Fischer was the lone dissenting voice in the case. He cited the 1997 high court case of *Sharon Village Ltd. V Licking Cty. Bd. of Revision*. In that case the court found that non-attorneys cannot file property value complaints on behalf of corporate taxpayers.

"I would hold that barring a statutory exception, when an appeal to the BTA is filed by a non-attorney, the non-attorney has engaged in the unauthorized practice of law and the BTA does not, therefore, have jurisdiction to hear the appeal," he wrote. "The nonbinding plurality opinion in *Jemo* does not conclude otherwise, and even if it could be read to do so, in light of *Sharon Village*, it has been superseded. For these reasons, it was neither unreasonable nor unlawful for the BTA to follow *Sharon Village* and its progeny and to not follow *Jemo*."

Poll Finds Democrats With Big Lead In Generic Congressional Ballots; Bacon Touts Fundraising; Scott Officially Enters District 12 Race...

A new poll released jointly Thursday by Morning Consult and POLITICO has ominous signs for Republicans heading into 2018.

The poll found that Democrats hold a 10-point lead over Republicans on generic midterm ballots, with 44% respondents indicating they would vote for a Democrat in November compared with 34% who said the same about a Republican.

That is an increase from the prior week when 41% of respondents said they would vote for the Democratic candidate. Republicans polled at 36% last week.

The poll also recorded the highest "wrong direction" mark since mid-October, with 63% of respondents saying they believe the country is headed in the wrong direction.

Another finding was that Republicans may be on the wrong side of the net neutrality debate, with 49% saying that repeal was the wrong decision and just 21% saying it was the right decision.

One of the few bright spots for Republicans in the poll is that enthusiasm is higher on their side, with 64% saying they are motivated to vote in 2018, compared to 56% of Democrats.

Fundraising Numbers: Sen. Kevin Bacon (R-Minerva Park) took to Twitter Thursday to tout fundraising numbers for his bid to replace U.S. Rep. Pat Tiberi (R-Galena).

"Great fundraising results this week! We have \$120,000.00 in commitments and we begin collecting them Jan 2," he wrote.

Scott Announcement: On the Democratic of the 12th Congressional District Race, former Franklin County Sheriff Zach Scott formally announced his candidacy for the seat.

"I'm proud of the service and peace of mind I have provided to victims and their families over the past thirty years. Making communities safer by putting dangerous criminals behind bars while helping countless nonviolent offenders get their lives back on track hasn't just been my job - it's been my passion," he said.

"Now I'm going to take that same passion to Congress, where I will get laws passed that put our families and our communities first. Unfortunately, we have all seen too many Washington politicians who are more concerned with serving themselves than serving the public. All too often, Congress caters to powerful special interest groups while the pressing needs of everyday working families fall through the cracks."

Opioid Crisis: In light of a lawsuit filed against the pharmaceutical industry by Summit County and a report showing overdose deaths in Ohio increased by 24% in 2016, Rep. Tavia Galonski (D-Akron) called on drug manufacturers to take responsibility for their role in the opioid epidemic.

"Ohio's opioid epidemic is the result of a myriad of issues," she said. "The key players need to be held accountable and unfortunately, one of the largest is the pharmaceutical industry. By not being clear about the addictive properties of opioids, they have put Ohioans at risk for addiction. I believe this lawsuit is an excellent response to help hard working families needing a helping hand."

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: gongwer@gongwer-oh.com

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger,
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NEWS

Lawmakers push right-to-work for 2020 ballot (Akron Beacon Journal, 1/3/2018)

Democrat in Ohio governor's race picks running mate: (Associated Press, 1/3/2018)

Ohioans can apply for amnesty to settle unreported tax debts: (Associated Press, 1/3/2018)

Ohio's child support system: Everyone agrees it's broken. But a fix has taken 25 years – and counting. (Cincinnati Enquirer, 1/3/2018)

Ohio's move to toss inactive voters from rolls goes to court (Cincinnati Enquirer, 1/3/2018)

**Joe Schiavoni picks state board of education member as running mate
(Cleveland Plain Dealer, 1/3/2018)**

Medical device tax is back; industry seeks repeal (Cleveland Plain Dealer, 1/3/2018)

**19-year-old takes office as city council member in eastern Ohio
(Columbus Dispatch, 1/3/2018)**

Governor's race Q and A | Mary Taylor (Columbus Dispatch, 1/3/2018)

Joe Schiavoni picks Stephanie Dodd as running mate (Columbus Dispatch, 1/3/2018)

Ohio Supreme Court wants state's execution-drug records (Columbus Dispatch, 1/3/2018)

**From pizza delivery robots, to boozy ice cream, a look at new Ohio laws
(Dayton Daily News, 1/3/2018)**

On Twitter, President Trump comes out swinging in 2018 (Dayton Daily News, 1/3/2018)

2018 could be a busy ballot year in Ohio (Toledo Blade, 1/3/2018)

EDITORIALS

Editorial: 2012 effort a dog of a law (Canton Repository, 1/3/2018)

Ohio lawmakers should keep the seriously mentally ill off Death Row: editorial (Cleveland Plain Dealer, 1/3/2018)

Senators working to turn tide of drug epidemic (Toledo Blade, 1/3/2018)

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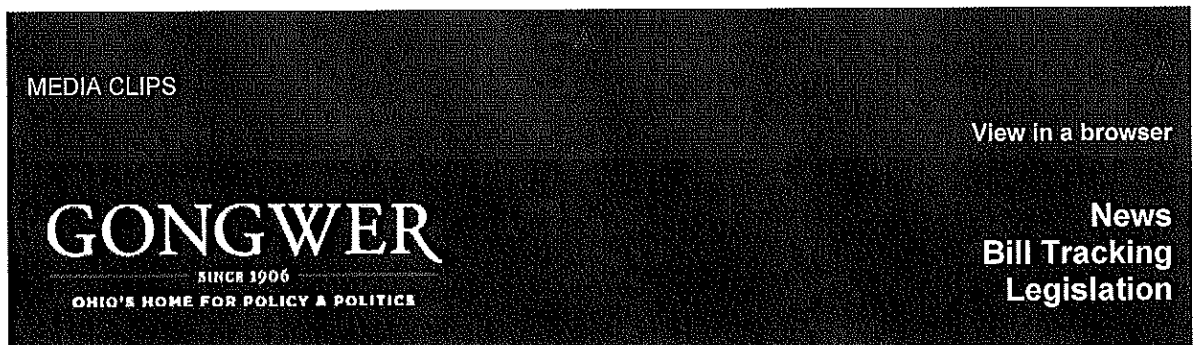
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NEWS

Governor names second Ohio poet laureate (Associated Press, 1/8/2018)

Proposed Ohio law would prevent forced nurse overtime (Associated Press, 1/8/2018)

Mandel's shocking exit has Republicans concerned (Cincinnati Enquirer, 1/8/2018)

Ohio's next governor: sorting out 9 candidates (Cincinnati Enquirer, 1/8/2018)

Social media reactions to Mandel's decision to exit U.S. Senate race (Cincinnati Enquirer, 1/8/2018)

Jeff Johnson, former Cleveland councilman, plans to challenge Ohio Sen. Sandra Williams in May primary (Cleveland Plain Dealer, 1/8/2018)

Josh Mandel drops out of the Senate race (Cleveland Plain Dealer, 1/8/2018)

Marijuana legal in most states, but in few states won by Donald Trump (Cleveland Plain Dealer, 1/8/2018)

Ohio still has a political gender gap, but not in the race for governor: A Woman's Place (Cleveland Plain Dealer, 1/8/2018)

ECOT case prompts calls for better rules to verify student enrollment (Columbus Dispatch, 1/8/2018)

Grandparents raising kids of addicts struggle with little aid (Columbus Dispatch, 1/8/2018)

Josh Mandel quitting US Senate challenge of Sherrod Brown seat (Columbus Dispatch, 1/8/2018)

Ohio purge of voter rolls gets Supreme Court scrutiny this week (Columbus Dispatch, 1/8/2018)

Ohio school districts anxious for refunds from ECOT's \$60 million repayment (Columbus Dispatch, 1/8/2018)

Taylor stays firm with governor run; Renacci reportedly considering bid for Senate (Columbus Dispatch, 1/8/2018)

Top Ohio House GOP aide leaving for campaign roles (Columbus Dispatch, 1/8/2018)

Will 2018 be the political year of the woman? (Columbus Dispatch, 1/8/2018)

Opioid aid for Ohio's towns (Toledo Blade, 1/8/2018)

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HOUSE E-CLIPS

1/8/2018



OHIO BANS SALE OF DOZENS OF INVASIVE PLANTS UNDER NEW RULES

Ohio has banned the sale of more than three dozen invasive plant species under new rules that took effect Sunday.

PROPOSED OHIO LAW WOULD PREVENT FORCED NURSE OVERTIME

A shortage of nurses in Ohio has prompted a state lawmaker to propose a law that would ban hospitals from requiring nurses to work overtime.



JOSH MANDEL QUITTING US SENATE CHALLENGE OF SHERROD BROWN SEAT

Because of an unspecified health issue involving his wife, Ohio Treasurer Josh Mandel is dropping out of the race to challenge Democratic U.S. Sen. Sherrod Brown.

KASICH SETS PRIMARY FOR TIBERI SEAT FOR MAY 8; SPECIAL ELECTION ON AUG. 7

Ohio Gov. John Kasich has set the elections in which voters will determine who will be nominated — and ultimately serve — the remainder of the term of resigning U.S. Rep. Pat Tiberi.

OHIO GRADUATION REQUIREMENTS MIGHT BE SOFTENED FOR CLASSES OF 2019 AND 2020

The Ohio Board of Education is expected to urge lawmakers next week to back off tougher new requirements to graduate high school for at least another two years.

TAYLOR STAYS FIRM WITH GOVERNOR RUN; RENACCI REPORTEDLY CONSIDERING BID FOR SENATE

Lt. Gov. Mary Taylor plans to stay the course with her run for the Republican gubernatorial nomination and will not seek to replace Josh Mandel in the GOP quest to unseat Democratic Sen. Sherrod Brown this year.

38 SPECIES OF INVASIVE PLANTS NOW ILLEGAL TO SELL IN OHIO

Ohio is taking a swing at nature's bullies.

ECOT CASE PROMPTS CALLS FOR BETTER RULES TO VERIFY STUDENT ENROLLMENT

As the Ohio Supreme Court prepares to hear arguments in ECOT's lawsuit regarding repayments for unverified students, some legislators say it's time for more clarity.

TOP OHIO HOUSE GOP AIDE LEAVING FOR CAMPAIGN ROLES

After 15 years in the Ohio House, having worked his way up from low-level page to chief of staff for the speaker, Mike Dittoe is stepping down.

OHIO PURGE OF VOTER ROLLS GETS SUPREME COURT SCRUTINY THIS WEEK

To the state of Ohio, it is nothing more than a housekeeping device to keep the voting rolls up to date.

OHIO SCHOOL DISTRICTS ANXIOUS FOR REFUNDS FROM ECOT'S \$60 MILLION REPAYMENT

The checks are not yet in the mail, but they will be coming.

WILL 2018 BE THE YEAR OF THE WOMAN? SIGNS POINT TO YES

On any given year, EMILY'S List — the Democratic organization that recruits pro-choice women to run for office — draws the interest of a few hundred women thinking of running for office.

EDITORIAL: LEGISLATURE FAILED OHIO CONSUMERS

The Ohio legislature's blinkered priorities and pandering to industry interests is made plain in its failure to end the abusive practices of "submetering," which forces more than 28,000 households in central Ohio alone to pay heftier electricity and water bills.

Dayton Daily News
www.daytondailynews.com

GROUP PUSHING BALLOT MEASURE TO INCREASE REGULATION OF PUPPY MILLS

Following a dramatic showdown between animal rights groups and agriculture heavy weights seven years ago, Ohio struck a deal to bring about sweeping reforms for how farm animals are handled.

ARE YOU OWED MONEY? OHIO'S UNCLAIMED FUND HITS \$2.6 BILLION

Now that the holidays are over and the credit card bills are due, it might be a good time to check to see if the state of Ohio is hanging onto any money you forgot about.

ARE OHIO'S LICENSING RULES OUT OF WHACK?

It takes nearly a year of training to become a licensed barber in Ohio, but one can become an advanced emergency medical technician — with the ability to administer narcotics — in less than six weeks.

THE PLAIN DEALER

JOSH MANDEL DROPS OUT OF THE SENATE RACE

Republican Ohio Treasurer Josh Mandel announced Friday his withdrawal from the race for U.S. Senate.

JEFF JOHNSON, FORMER CLEVELAND COUNCILMAN, PLANS TO CHALLENGE OHIO SEN. SANDRA WILLIAMS IN MAY PRIMARY

Jeff Johnson, just days after leaving office as a Cleveland council member following an unsuccessful run for mayor, says he plans to challenge Ohio Sen. Sandra Williams in the May Democratic primary.

WHAT ATTRIBUTES SHOULD A HIGH SCHOOL GRADUATE HAVE? IT'S NOT JUST THE "THREE R'S" ANYMORE

What should a high school graduate look like in Ohio?

OHIO STILL HAS A POLITICAL GENDER GAP, BUT NOT IN THE RACE FOR GOVERNOR: A WOMAN'S PLACE

Betty Sutton knows what it's like to be the only female politician in a room full of men.

VOTING IN OHIO MATTERS - LOOK AT THE 141 TIES AND ONE-VOTE RACES IN THE LAST FIVE YEARS: THOMAS SUDDER

Ohio's neighboring state once-removed, Virginia, showed last week why every vote counts in American elections.

THE ENQUIRER

JOSH MANDEL'S SHOCKING EXIT HAS REPUBLICANS CONCERNED. AND THEY DON'T HAVE MUCH TIME TO REPLACE HIM.

Minutes after Republican U.S. Senate candidate Josh Mandel quit the race Friday afternoon, reality set in for Republicans.

THE BLADE

One of America's Great Newspapers

REPUBLICAN LAWMAKERS PUSH TO MAKE OHIO "RIGHT TO WORK"

More than six years after voters resoundingly rejected similar proposals at the polls, a package of proposed constitutional amendments have been introduced to make Ohio the 29th state to enact "right to work."

OHIO VOTERS WILL HAVE MULTIPLE CANDIDATES TO CHOOSE FROM IN 2018

Ohio faces a mixed bag of political races this year, with contests ranging from governor all the way down to local judgeships and leadership of the Lucas County Republican Party.

EDITORIAL: OPIOID AID FOR OHIO'S TOWNS

Ohio, especially small-town Ohio, is now enduring a sociological and budgetary perfect storm.

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NEWS

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**Dennis Kucinich files paperwork to run for Ohio governor (Associated Press, 1/9/2018)**

**Lawmaker touts life change since his impaired driving arrest (Associated Press, 1/9/2018)**

**Ohio bans sale of dozens of invasive plants under new rules (Associated Press, 1/9/2018)**

**Dennis Kucinich to run for Ohio governor (Cincinnati Enquirer, 1/9/2018)**

**Mandel replacers: Latest update on who's in, out (Cincinnati Enquirer, 1/9/2018)**

**Proposed Ohio law would prevent forced nurse overtime (Cincinnati Enquirer, 1/9/2018)**

**Dennis Kucinich files paperwork for potential gubernatorial run (Cleveland Plain Dealer, 1/9/2018)**

**Former Cleveland Councilman TJ Dow may seek Ohio House of Representatives seat (Cleveland Plain Dealer, 1/9/2018)**

**Ohio still has a political gender gap, but not in the race for governor: A Woman's Place (Cleveland Plain Dealer, 1/9/2018)**

**Dennis Kucinich will join Ohio governor's race next week (Columbus Dispatch, 1/9/2018)**

**If Trump says to jump, Renacci will run for Senate instead of governor (Columbus Dispatch, 1/9/2018)**

**Justice O'Neill to announce running mate Tuesday in governor's race (Columbus Dispatch, 1/9/2018)**

**Ohio sued over racial quota on marijuana growing licenses (Columbus Dispatch, 1/9/2018)**

**10 Ohio professions that require licensing: Are they needed? (Dayton Daily News, 1/9/2018)**

**Democratic governor candidate Bill O'Neill to announce running mate (Dayton Daily News, 1/9/2018)**

**Group pushing ballot measure to increase regulation of puppy mills (Dayton Daily News, 1/9/2018)**

**If Trump asks, Renacci may run for Ohio's U.S. Senate seat (Dayton Daily News, 1/9/2018)**

**Gibbons trying to nail down front-runner status in GOP primary for U.S. Senate (Toledo Blade, 1/9/2018)**

**Republican lawmakers push to make Ohio "right to work" (Toledo Blade, 1/9/2018)**

## **EDITORIALS**

**Beacon Journal/Ohio.com editorial board: To build a better state report card (Akron Beacon Journal, 1/9/2018)**

**Time for the people of Ohio to decide on right-to-work law (Cincinnati Enquirer, 1/9/2018)**

**Infrastructure ought to be next (Toledo Blade, 1/9/2018)**

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## OHIO HOUSE OF REPRESENTATIVES

*Majority Communications Department*

# GOP Week in Review

12/31/17 – 1/7/18

### **WKSU: Ohio's Year in Review 2017: Changes to education policy**

"Looking back, basically a time of transition and a time of starting to listen to what's going on in the field and starting to implement common-sense reforms as opposed to just mandates that people can't necessarily comply with," Brenner said.

### **Sandusky Register: Busy year for Shores & Islands**

In April we were proud to provide support to the governor's office, city of Sandusky, Cedar Point, state Sen. Randy Gardner, state Rep. Steve Arndt, TourismOhio and others in hosting the governor's State of the State address at the Sandusky State Theatre.

### **The Advertiser-Tribune: SRPC, elections board ready to go**

Reineke presented an Ohio flag and a U.S. flag that were flown over the state capitol building Dec. 19 as a gift to the elections panel. "I'm very happy to be here," he said. "We've all got to keep working together to make great things happen."

### **WOSU: Ohio lawmaker pushes for harsher penalties for parolees who fail drug tests**

Republican state Rep. Niraj Antani, the bill's sponsor, wants to create more access to treatment facilities and says jails should not be used as detox centers. "But until that time, jail is simply the best place for someone to detox and to be safely placed if they are (using) heroin and fentanyl - until we can figure out something else for them," Antani said.

### **Mansfield News Journal: Community honors law enforcement with 'Spread the Light'**

The evening ended with state Rep. Mark Romanchuk, R-Ontario, counting down to officers switching on the lights and sirens in more than a dozen police vehicles to officially "spread the light" and start the week.

**Associated Press: Proposed Ohio law would prevent forced nurse overtime**

State Rep. Robert Sprague, a Findlay Republican, said he's concerned that exhausted nurses working long hours can lead to preventable medical errors. "It's a recipe for problems," Sprague told The Dayton Daily News.

**Findlay Courier: Sprague bill would ban forced nurse OT**

A bill introduced in the Ohio House by state Rep. Robert Sprague, R-Findlay, would prohibit hospitals from requiring a registered nurse or licensed practical nurse to work overtime as a condition of employment.

**Wilmington News Journal: Guest column from Speaker Cliff Rosenberger: Buckeye Pathway guides policy**

This member-driven document outlines our priorities and serves as a roadmap to three objectives: improve Ohio's economic environment, enhance opportunities for all Ohioans, and strengthen families and communities. Halfway through this term, we have approved more than 30 bills that align with these principles.

**Toledo Blade: Republican lawmakers push to make Ohio "right to work"**

The resolutions are sponsored by state Rep. John Becker (R., Cincinnati) and state Rep. Craig Riedel (R., Defiance). ... "It's not so much that I'm opposed to unions," Mr. Riedel said. "I believe strongly that employees ought not to be required to pay fair-share fees if they choose not to join that union. If that individual chooses not to be a part of that union, they're on their own. They would not get any representation whatsoever by that collective-bargaining agreement."

**Your News Now: HB 336 plans to help Ohioans with suspended licenses**

"This would help reduce the number of suspensions the bureau has to keep track of, it would also provide an incentive for a person to get insurance, get their license reinstated, and be able, if you're not able now to find a job because of lack of transportation, to be able to do that," said Rep. Bob Cupp, 4th District Rep for the State of Ohio.



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**PRESS STATEMENT**

**Honor Martin Luther King by continuing the fight**



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*Coretta Scott King, Martin Luther King, Jr. and singer Harry Belafonte in 1965. Photo: Center for Jewish History*

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**Contact: Amy Hanauer**  
**216.361.9801**

In honor of Dr. Martin Luther King, Jr. Day, Policy Matters Ohio Executive Director Amy Hanauer releases the following statement:

"Nearly 50 years ago, Martin Luther King was murdered in Memphis, Tenn. by a racist white man. King travelled there to support the city's black sanitation workers in their strike protesting dangerous work conditions and unfair wages. It was part of King's Poor People's Campaign, which expanded the struggle for racial justice from desegregation and voting rights to economic security.

"There is nothing new about poverty," he wrote in his final book, "Where Do We Go from Here: Chaos or Community? "What is new, however, is that we now have the resources to get rid of it...Why should there be hunger and privation in any land, in any city, at any table, when man has the resources and the scientific know-how to provide all mankind with the basic necessities of life? There is no deficit in human resources, the deficit is in human will."

King knew the American dream would remain out of reach for black people until they could access decent housing, fair wages, safe working conditions, good schools and quality health care. He knew in many ways, the dream eluded white Americans living in poverty as well.

At Policy Matters Ohio, we try to honor King's legacy by insisting on policies that recognize the dignity of all people. This year, we face several big fights. Having just drastically cut taxes to benefit the wealthiest few, President Trump and Republicans in Congress now aim to slash funding for programs that broaden opportunity like Medicaid, food aid, college assistance, public education and more. Children of undocumented immigrants who know no other home, could face deportation after Trump scrapped a program that allowed them to come out of the shadows and contribute to society without fear.

In Ohio, GOP lawmakers are pushing so-called "right to work" laws that would weaken labor unions — the single most effective tool in protecting workers' rights, ensuring decent wages and shrinking workplace barriers for people of color and women. With the Trump administration's blessing, state policymakers are pursuing work requirements, premiums and co-pays that would make it harder for low-income Ohioans to access health care through Medicaid.

These are challenging times, but something powerful has broken free across Ohio and the United States. We see it in the thousands who marched in D.C. and locally last year; the endless calls to members of Congress in defense of the Affordable Care Act and the outcry of support for our immigrant neighbors. The human will for change is building. Join us as we strive to answer King's call and 'bend the arc of the moral universe towards justice."

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## OHIO REPORT TUESDAY, JANUARY 23

Lawmakers Urged To Find Bipartisan Agreement On Redistricting Revamp; Sponsor Says Changes Afoot

Battle Lines Hold Firm On Right-To-Work, Prevailing Wage Proposals

Health Plans Raise Privacy Concerns With Claims Information Bill

Senate Democrats Scrutinize SNAP Fraud Bill

Telecom Update Would Drive Investment, Industry Group Says

Groups Call For More Specificity On Bail Assessment Tools

**ECOT Appeals Closure, Says Founder Will Waive Fees To Prevent Budget Shortfall**

**High Court Sides With Arrestee In Dispute Over Purse Search**

**Ohio Business: P&G Reports Sales Increase; Banks Report Year-End Financial Results...**

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**Volume #87, Report #15 -- Tuesday, January 23, 2018**

**Lawmakers Urged To Find Bipartisan Agreement On Redistricting Revamp; Sponsor Says Changes Afoot**

A key Ohio business group told legislators Tuesday that it could get behind a proposal to change how congressional districts are drawn in Ohio - as long as the plan has "strong" buy-in from both parties.

The sponsor of the proposal, meanwhile, said he wouldn't move forward with process changes without bipartisan support, and that several changes to reach that goal are already under consideration.

Keith Lake, vice president of government affairs for the Ohio Chamber of Commerce, told members of the Senate Government Oversight & Reform Committee reviewing the GOP's resolution (SJR 5) that his group prefers the approach taken in 2015, when a bipartisan agreement led to a General Assembly-backed ballot issue on legislative redistricting that was later approved by more than 70% of voters.

He noted the chamber had previously opposed two citizen-initiated constitutional amendments on the same subject, while the 2015 issue "was put on the ballot by overwhelming bipartisan majorities of the General Assembly and, most importantly, prevents one political party from controlling the process."

"The Ohio Chamber would prefer the congressional redistricting process be revised the same way - beginning with a proposal put on the ballot by the General Assembly after it has garnered support from strong bipartisan majorities," Mr. Lake said.

"While a step in the right direction, SJR5 is not yet that. Unfortunately, what we've observed up to this point is much criticism of SJR5 but not much in the way of constructive feedback. We urge everyone to work together to find a solution that does what our board urged in its 2012 resolution: develop 'an accountable, bipartisan approach that Ohio voters can rely on to produce effective reform and fair congressional districts.'"

Echoing opponents of the measure, Mr. Lake said it's important to revise the process appropriately because the current system "isn't working for Ohioans."

"It leads to diminished General Election competition and contributes to intensified partisanship and contentiousness, which turns off otherwise qualified potential public servants from pursuing office," he said.



Sen. Michael Skindell (D-Lakewood) said Democrats were ready to work on an agreeable plan, but Republicans have been reluctant to do so and instead rolled out a resolution without their input.

"We agree with you a measure needs to be bipartisan," he said.

Sen. Matt Huffman (R-Lima), the resolution sponsor, said he has "no intention of moving forward with a resolution out of the Senate...unless there is a change of Democratic support for it." He added that a one-sided plan would likely lose at the ballot anyway.

At that point in the committee hearing, the sponsor informed the audience that several changes were in the works, including making the commission's product a bill that must receive the governor's signature and be subject to a referendum. Taking the governor out of it was his idea, but people don't like it, he acknowledged.

In an interview before the hearing, Sen. Huffman said other changes under consideration would address several of the opponents' complaints with his package.

Those include "tightening language" on county splits and removing the provision dealing with one man, one vote requirements, he said. Altering the percentage of minority party buy-in on maps is also under consideration.

The sponsor said he plans more meetings with interested parties on the measure, which will not be voted out of committee Wednesday despite being slated for possible movement.

He hopes to resolve the differences over the next several days and have the resolution ready for a committee report next Tuesday, Sen. Huffman said. "I really think it's coming together."

Sen. Vernon Sykes (D-Akron) responded in committee to the sponsor's comments of the looming "substantial changes" by saying that Democrats would look closely at the totality of the plan and its expected results versus individual components.

"We are interested in addressing gerrymandering, not just changing how you do gerrymandering," he said.

Sen. Huffman responded, "We will work together on this and will come up with something good."

Mr. Lake's testimony stood out Tuesday as coming from an "interested party." All of the other witnesses, including representatives of a group that's already circulating petitions for a citizen-backed constitutional amendment - Fair Districts=Fair Elections - were listed as opponents.

Among them was Heather Taylor-Miesle, executive director of the Ohio Environmental Council, who said a more bipartisan approach is key to ultimately creating "fair, representative policies" on matters impacting the environment and other areas.

"Bipartisan solutions are more likely when voters select their elected officials and not the other way around, and keeping communities together gives voters leverage to demand action on the pollution going into the neighborhood creek or attention to the quality of their air," she said.

Ms. Taylor-Miesle raised several concerns with the approach laid out in the proposal at hand, including issues related to one person, one vote requirements, splitting of communities and the mapmaking process.

"The requirement under SJR5 to draw districts the exact same population size, with only a variance of plus or minus one person, basically negates any other criteria that could be followed," she said. The community splitting guidelines in the resolution are also problematic because they would be applied unevenly across the state.

Regarding the proposed mapmaking approval process, she added, saying at least 50% of the minority caucuses should be required.

"However, our bigger concern is the commission process outlined if the legislature fails to meet the deadline," Ms. Taylor-Miesle said, citing the ability to pass a four-year plan by a simple majority and then potentially turn it into a 10-year map.

OEC also raised concerns with the lack of a referendum option in the measure and its definition of "compact."

Sen. Huffman called the objections "meritorious arguments" but pointed to the varying sizes of cities and townships and asked if the preference would be to base on population. The witness said it was open to discussion on how to "get there" with the goal of ending up with bipartisan districts.

Asked about the group's objections to the judicial review aspect of the resolution, Ms. Taylor-Miesle said her group was looking for more clarity on language regarding Supreme Court review.

Chairman Sen. Bill Coley (R-Liberty Twp.) got into a debate over the Fair Districts proposal with one of several citizens who showed up to testify on their own behalf and express preference for the pending ballot initiative that supporters have said has already attracted some 200,000 signatures.

He asked Jane Cape, a Springfield resident, to explain the legal definition of "representational fairness" in the Fair District plan and how she would defend it in court.

After saying she was not a lawyer and wouldn't be in court under such a scenario, she replied that it was something that results in elections not being decided at the primary level.

As she continued to make her case, the chairman interjected that he had heard all of the "rhetoric" and "histrionics" over the matter, prompting a rebuke from Ms. Cape.

The result was applause from the audience and a subsequent gaveling from the chairman.

Another citizen, Wendy Dyer from Bellbrook, chastised the majority for presenting a plan that she said "legalizes gerrymandering" and was an attempt to get out ahead of and "circumvent" the public initiative.

Ann Henkener of the League of Women Voters of Ohio and a chief proponent of the Fair Districts=Fair Elections campaign, said the Huffman resolution "does nothing to rein in partisan gerrymandering and takes away an important right that voters in Ohio currently have - the right to referendum," while acknowledging the sponsor's prior statement that changes were in the works in that regard.

"Voters also have a right to fair representation and SJR5 perpetuates the ability of the majority party to draw districts designed to gain a disproportionate majority of seats for their party," she said in her prepared remarks. "I urge this Committee to reject this proposal and substitute a plan that will require bi-partisan support to adopt a redistricting plan, keep communities together, and not permit plans to be drawn to primarily favor or disfavor a political party."

Sen. Coley asked why, if the ability to referendum the map was so important, the ballot group didn't include it in their proposed constitutional amendment.

Ms. Henkener responded that the Fair Districts plan wouldn't result in a bill, and that as far as she knows no other state with a commission-based system allows for referendums.

The chairman also queried the LWVO representative on the definition of representational fairness.

She said it deals with the relation between the state's overall political leanings and the number of Congress members representing each party, or "keeping representation connected to the votes."

If 55% of Ohioans vote for Republicans, for instance, then the number of GOP representatives should reflect that split, she said.

Supporters of the citizen-backed ballot issue are not seeking a "concrete result," rather they are "looking for an opportunity" for both parties in the general election, Ms.

Henkener said. Under the current system, majority partisans "get an advantage that they really don't have with the electorate."

Sen. Coley said in response, "I don't think that's what your proposal does, but I appreciate" your aspirations.

All told, about 15 people testified or provided written comments in opposition to the proposal on Tuesday, with most largely reiterating objections aired previously by the Fair Districts group. (See Gongwer Ohio Report, January 22, 2018)

The House's version of the majority GOP's proposal, which Sen. Huffman said would follow along the lines of changes he is already considering, is slated to be discussed Wednesday in the chamber's Government Accountability & Oversight Committee.

**Subscribers Note:** Full testimony is available on the committee's website under Jan. 23.

### **Battle Lines Hold Firm On Right-To-Work, Prevailing Wage Proposals**

Sponsors of a slate of right-to-work and prevailing wage resolutions said Tuesday they're confident caucus leaders will exercise their "due diligence" when considering whether to move forward.

But they acknowledged that they have yet to formally poll the House Republican Caucus on where members stand regarding their six joint resolutions introduced last month. (See Gongwer Ohio Report, December 21, 2017)

A spokesman for House Speaker Cliff Rosenberger, meanwhile, reiterated that the Clarksville Republican is open to having the conversation even as Democrats and a top labor group continue blasting the proposals as "anti-worker."

"The speaker is open to having a caucus discussion about this issue, and he believes doing so is very important before any further decisions or determinations are made in regards to these proposals," spokesman Brad Miller said.

Speaking at a Statehouse press conference, Rep. Craig Riedel (R-Defiance) and Rep. John Becker (R-Union Twp.) said they've been encouraged by the speaker's open-mindedness thus far.

"We've spoken with Speaker Rosenberger and we're going to be bringing this up in caucus very soon," Rep. Riedel said. "Hopefully within the next week or two we'll have a caucus discussion over these issues, these resolutions."

If adopted by lawmakers - a three-fifths majority is required - the proposals would head to the 2020 ballot where sponsors said Ohioans of all political persuasions can weigh in to settle the matter once and for all.

"We're not ramrodding anything," Rep. Riedel said. "People are going to say we are, but we're not. Everybody is going to have a say in the matter and everybody will have the opportunity to vote on this."

Two of the resolutions would ban any laws, rules or agreements requiring public and private sector employees to join or pay union dues (HJR 7) and prohibit unions from representing non-members in employment matters (HJR 8).

The other four, which Rep. Becker deemed more "ancillary in nature," would: prevent public authorities from requiring prevailing rate of wages (HJR 9), forbid certain requirements or prohibitions regarding labor agreements in government contracts (HJR 10), subject any public employee collective bargaining representative to an annual election to remain certified as the exclusive representative (HJR 11), and prohibit dues and other fees from being deducted from the payroll check of a public employee (HJR 12).

Unions and Democrats are already pushing back against the resolutions, saying Ohioans already voiced their opinions on the matter by repealing a 2011 law that limited collective bargaining for public employees (SB5, 129<sup>th</sup> General Assembly).

"Instead of restrictions to make working people poorer and less safe on the job, we should prioritize commonsense ideas that grow our economy and create good-paying jobs that give working families the opportunity to get ahead," Minority Leader Fred Strahorn (D-Dayton) said. "The Republican package of so-called 'right to work' legislation is wrong for working families and wrong for Ohio."

But Rep. Becker said there is "very little to almost nothing" in their new plans that overlaps with the contents of SB5 - an argument AFL-CIO President Tim Burga isn't buying. Mr. Burga said both SB5 and the current proposals are politically-motivated attempts to enact "anti-worker, anti-union" laws.

"You're picking a fight for political reasons at a time when Ohioans can least afford these sorts of unnecessary distractions," Mr. Burga said. "If they've not learned a lesson from SB5 I don't know what it's going to take to wake them up. But I am confident the General Assembly is not interested in introducing proposals that simply are going to take away workers' voices and drive down wages, which is what these things do when you look at them where they've been implemented in other states."

As far as driving down workers' wages, Rep. Riedel insists the opposite; he said his rationale behind the legislation is that it will assist the impoverished in his district by enabling them to keep more of their earnings.

"This is not an affront to unions, this is not an affront to collective bargaining," the sponsor said. "This is all about workers' rights and workers' freedom and being able to choose whether they want to be part of a union and worry about paying fair share fees."

Rep. Becker said that should the resolutions pass the General Assembly he's already envisioning a public campaign from opponents seeking to derail the ballot initiatives. He anticipates the campaign will play out like efforts to repeal the 2011 law.

"At least we'll know what to expect this time," Rep. Becker said.

We Are Ohio, a group that formed in 2011 to oppose SB5, issued a statement denouncing the resolutions as "the Dirty Half Dozen."

"Reps. Riedel and Becker are carrying water for out-of-state interests like the Koch brothers and the American Legislative Exchange Council," the group said. "There are no workers lining up behind these dangerous, divisive and disastrous ideas for Ohioans. Right to Work is wrong for Ohio. Don't trust it."

Rep. Becker said fellow Republicans have shared concerns that the proposals' potential place on the 2020 ballot might drive more Democratic voters to the polls in an important presidential election year.

Rep. Becker said he doesn't adhere to that line of thinking and instead believes Republicans will be more motivated to turn out to the polls compared to Democrats who are already typically mobilized for presidential elections.

Rep. Riedel added that the sponsors feel they need more time to educate the public on their propositions than they would have if they targeted the 2018 ballot.

But there is one concern that could have merit, Rep. Becker acknowledged, and that's whether the private sector right-to-work resolution flies in the face of federal employment law. In talking with the Legislative Service Commission, he said, the answer to that question has remained unresolved.

"Is it a violation of federal labor law?" Rep. Becker asked. "It could be. It's not clear whether it is or isn't."

### **Health Plans Raise Privacy Concerns With Claims Information Bill**

Health insurers and a patient advocacy group urged lawmakers Tuesday not to move forward with a proposal to give small employers access to certain health claims data, saying it could jeopardize employee privacy.

The groups testified against the bill (SB 227) before the Senate Insurance & Financial Institutions Committee.

The bill is designed to help small businesses make better decisions in buying insurance by giving them aggregate, de-identified information about claims made under their plans.

Miranda Motter, president and CEO of the Ohio Association of Health Plans, opposed the measure, saying it would require plans to disclose protected claims information to small employers.

The disclosures could allow employers to identify specific employees for whom the claims data relates, she said. The bill requires the disclosure of all potential catastrophic diagnoses and prognoses involving persons covered under the policy.

"Small employers with fully insured plans are generally not entitled to know about the medical diagnoses, prognoses, and treatment of employees, which is personal in nature, without the employee's consent and providing claims data to small employers raises privacy concerns for employees," she said.

Smaller employers are much more able to associate claims data with specific employees than large employers, Ms. Motter said.

Federal health privacy laws have strict requirements regarding when protected health information can be shared with employers, who are not directly regulated by HIPAA, she said.

"Given that employers are not directly subject to HIPAA, sharing health information with employers creates substantial privacy risks," she said. "In fact, these substantial risks are exactly why HIPAA created significant barriers to sharing PHI with employers."

Small group plans are also priced based on demographic factors, not claims data, meaning they don't need claims data in order to purchase and maintain coverage, Ms. Motter said.

OAHP is working with other stakeholder groups to develop policies aimed at reducing the cost of health care, and Ms. Motter urged the committee not to move forward with the bill yet.

Sen. Steve Wilson (R-Maineville) asked why the line between small and large employers was set at 50.

"The larger the employee group, the harder it becomes to re-identify, even in a de-identified way, the employee affected," Ms. Motter said.

Small employers could benefit from being able to compete directly against larger businesses in that market, Sen. Wilson said.

If health insurance costs are increasing, it's because the underlying cost of care is high, Ms. Motter said.

"Part of what our effort has been is if we're going to see insurance costs go down, we have to get at the underlying cost of health care," she said.

Holly Pendell, with the National Multiple Sclerosis Society, raised concerns that the bill would allow small businesses to identify employees with MS.

"Protecting against discrimination in employment and many other aspects of American life has been a core component of the education and understanding that the MS Society has promoted since our establishment," she said.

"I urge you to err on the side of the consumer today and of the protections given to them by law," she added. "We must not tip the balance away from comprehensive benefits and medical privacy protections and return to era where employees live in fear of being outed due to their medical diagnosis."

### **Senate Democrats Scrutinize SNAP Fraud Bill**

Democrats questioned a bill intended to reduce fraud in the food stamp program by requiring photos on benefit cards as the measure had its first hearing in the Senate Tuesday.

The sponsor of the bill (HB 50) told the Senate Health, Human Services & Medicaid Committee that it wouldn't reduce benefits, but would deter recipients from selling or trading cards.

Rep. Tim Schaffer (R-Lancaster) said the bill is designed to protect the integrity of the Supplemental Nutrition Assistance Program, deter trafficking in SNAP cards and preserve funds for those in need.

The bill stems from an audit of the SNAP program by State Auditor Dave Yost that found weaknesses. Those included excessive balances in accounts, unusual transactions, 36 deceased recipients and more than \$28.7 million in out-of-state spending.

The measure would require that photos be added to EBT SNAP cards, safeguarding benefits of those who are legally entitled to them and deterring and detecting crime where cards are sold or traded, Rep. Schaffer said.

"SNAP is an important safety net for those in Ohio who have fallen on rough times, and I believe that a vast majority of individuals enrolled in the program need the benefits," he said. "As lawmakers, we have a responsibility to assure program integrity."

The bill includes exemptions to the photo requirement for adults 60 and older, blind and disabled citizens, victims of domestic violence or people with a religious objection to being photographed.

Retailers would not be required to check the photo ID at check-out, nor would they be allowed to hinder or prevent anyone's purchase because of the photo ID. Retailers would be able to call a phone number to report suspected fraud.



The bill also includes an opt-in provision for any adults exempted from the photo requirement who wish to have a photo on their cards, and allows the Bureau of Motor Vehicles to share photos on file. Both of those provisions were added in committee in the House.

Sen. Edna Brown (D-Toledo) said she was confused about the need for the bill. She asked about the provision that would prevent clerks from interfering with transactions.

The sponsor said the presence of a photo would deter people from trading or selling the cards, and that it would make it easier for drug investigators who find stacks of EBT cards at drug houses.

"This is just another layer of security," he said. "Frankly, this is not going to be a cure-all bill to solve all fraud. But it'll be a big deterrent and it'll cut a big hole in the crime that's going on."

Sen. Brown asked why the presence of names on EBT cards doesn't deter sales or trading.

Rep. Schaffer said he believed photos would provide additional deterrents.

Sen. Brown said law enforcement officers can already track EBT cards back to their owners if they are found.

"If we want to try to curtail misuse of these cards, I'm willing to work with anyone who wants to curtail it, but putting a photo on it is not the way to do it," she said.

Sen. Charleta B. Tavares (D-Columbus) said the bill implies that people whose cards are found in the possession of drug dealers are involved in drugs or are selling them.

"That is not evidence that that person is involved in drugs," she said. "There are many cards that are stolen out of mailboxes. There are many drugs that are stolen out of purses, or out of cars. They're stolen or they're lost."

Rep. Schaffer said the vast majority of beneficiaries need the program, and he wouldn't support a bill that curtailed benefits to people who need help. The bill is designed to address the issue of fraud and ensure benefits are going to the right people, he said.

Sen. Tavares said many retail grocers are moving away from clerks and toward self-serve kiosks, where nobody will look at cards.

"How do you justify continuing when movement is to do away with clerks in our retail chains?" she asked.

The sponsor said clerks don't have a role unless they suspect fraud.

"It's a lot about deterrent," he said.

### **Telecom Update Would Drive Investment, Industry Group Says**

The Ohio Telecom Association and its members on Tuesday told a panel of lawmakers that Ohio is overdue for a comprehensive update of telecom laws.

Their testimony, delivered before the House Public Utilities Committee, centered on a bill (HB 402) from Rep. Brian Hill (R-Zanesville) that aims to boost the competitiveness of local telephone providers. (See Gongwer Ohio Report, November 13, 2017)

The bill's major change would enable carriers to pursue from the Public Utilities Commission of Ohio rate increases of \$1.25 a month or 20% depending on which is higher. Currently, those providers in competitive areas can seek increases of only \$1.25 a month.

OTA President Charles Moses described the sector as a "dynamic industry that continues to change every day" - a description spelled out in a 2017 study released by the group that prompted the bill. (See Gongwer Ohio Report, October 20, 2017)

"In this type of environment, it is hard for laws and regulations to keep up," Mr. Moses said. "Traditionally, Ohio has been a leader in progressive telecom policy. However, it has been eight years since the last major update to Ohio's telecommunications laws took place."

The Ohio Consumers' Counsel, however, has already called for the bill to be rejected, arguing it would "favor telephone companies against the interest of Ohio consumers, including by allowing 20% annual increases for basic phone service."

The proponents, in turn, argued that companies are incentivized not to raise rates too high because customers will simply seek out other service providers.

"No one is interested in losing customers," OTA General Counsel Scott Elisar told lawmakers.

Rep. John Rogers (D-Mentor-on-the-Lake) questioned how much this might cost consumers. Mr. Elisar provided a few specific companies as examples, saying on average it would amount to a few dollars a year.

Mr. Elisar called the bill "an effort to update old laws, modernize state policy, and level the playing field for all providers in response to explosive competition we've seen in the past decade."

The OTA suggested the bill would: provide additional pricing and regulatory flexibility, mirror Ohio law with federal guidelines, and "clean-up" items from the prior legislative overhaul (SB 162, 128th General Assembly).

Specific policy updates included in the bill, according to Mr. Elisar, include:

- Updating the state's policy statement to recognize emergence of competition and market forces.
- Expanding 911 immunity to include corporate parents and affiliates.
- Eliminating treble damages remedy against telephone companies while ensuring telephone companies remain liable for actual damages.
- Providing that no provision of the bill affects existing contractual obligations or rights under federal law or rules.

Josh Motzer, public policy director for CenturyLink, said the bill will provide a "pathway for future technology investments here in the state."

And Bruce Mottern, chairman of the Rural Broadband Association, said it's critical to eliminate competitive advantages among certain carriers. The bill, he said, would clear regulatory burdens from rural providers in order to better meet customer demands.

In addition to the \$1.25 or 20% increase, Mr. Mottern said, the bill will enable small local exchange companies to increase rates by any amount necessary to meet federal benchmarks. In that case, the PUCO could enact a three-year phase-in to lessen consumer impact, he said.

"This flexibility allows companies to manage their businesses based on operational, financial and competitive needs," he said. "There are plenty of alternative voice service providers in Ohio; the last thing a company wants to do is lose a valued customer."

### **Groups Call For More Specificity On Bail Assessment Tools**

A bill designed to drastically overhaul the bail system in Ohio needs more work, members of the House Criminal Justice Committee were told Tuesday.

Representatives from the ACLU of Ohio and the Office of the Ohio Public Defender suggested several changes to the legislation (HB 439) requiring the Criminal Sentencing Commission to create a list of validated risk-assessment tools to be used by courts across the state in making decisions on bail.

But Niki Clum, legislative liaison for OPD, said not all risk-assessment tools are created equal.

She said Lucas County's use of the "Arnold Tool" has doubled the number of individuals released without monetary bail while also reducing pretrial crime and the number of individuals who fail to appear in court.

"Under the current language of the bill, the Sentencing Commission is not required to examine the risk-assessment tools and determine which are best," Ms. Clum said. "They are only required to provide a list of those that are validated. OPD is concerned that some risk assessment tools may contain implicitly biased questions that result in disproportionate outcomes based on race, ethnicity or gender."

Ms. Clum also called for the bill to require courts to set the least restrictive bail conditions and use monetary bail as a last resort.

Gary Daniels, chief lobbyist for the ACLU of Ohio, echoed those sentiments. He also called for the measure to eliminate monetary bail for all misdemeanor charges and some felony charges and for requiring the collection of race-based data.

"By tracking race of the accused, stakeholders can help determine where in Ohio, and by how much, Ohio's bail system and the changes HB439 creates, affects people of color," he said. "Flaws can also then be addressed and successes can be expanded. Collecting race data throughout Ohio's justice system is already severely lacking. With HB439, we can make progress in one aspect."

But Ms. Clum and Mr. Daniels said that, minus any changes, the bill is still an improvement over the current system. Both testified as interested parties.

Daniel Dew, legal fellow at the Buckeye Institute, warned in interested party testimony that the \$2 billion per year bail bond industry will likely push back against the bill.

"How pretrial detention decisions are made is left to the state," he said. "The goal of a pretrial system should be to release as many defendants as safely as possible before trial, and for defendants to show up for court."

Rep. Bill Seitz (R-Cincinnati) questioned how much an ability to pay should be weighed in bail decisions.

Mr. Dew said that is just one factor to be taken into consideration. He said under current law, courts will set an extremely high bail for individuals deemed to be dangerous with the hope that they cannot pay.

"Not only does this make it more fair, it takes judges and prosecutors out of the position of asking for a \$2 million bail knowing somebody isn't going to make it," he said.

Rep. Seitz also questioned how effective the risk-assessment tools are in lowering failure to appear rates.

Mr. Dew said in every study he has read the rate has been the same or lower.

Sara Andrews, director of the Criminal Sentencing Commission, said the bill reflects the recommendations of an Ad Hoc Committee on Bail and Pretrial Services that was formed in 2016.

"Those recommendations are designed to be holistic and focus on achieving consistency, fairness and efficiency in the pretrial system while decreasing the reliance on monetary bail," she said in proponent testimony. "As such, the use of a validated risk assessment instrument to inform release or detain decisions - realizing that bond should be 'risk' based and not 'charge' based - is recommended. The use of a risk assessment tool is one more resource a judge can use to inform decisions and ensure equity in all steps of the bail-setting process."

Rep. Seitz raised several concerns with the bill, including what he called an "impenetrable black box" in the form of the "Arnold Tool" used in Lucas County.

Ms. Andrew said that may have been the case at one time, but that has since changed. "I believe that it is more accessible and publicly available," she said.

The panel also received proponent testimony from FreedomWorks and the American Conservative Union Foundation.

Patrick Plein, a policy analyst at the ACUF's Center for Criminal Justice Reform, said studies have found that the likelihood of being rearrested or recidivating increases when an individual is held in pretrial confinement.

"The impact of this worrisome trend goes far beyond any one defendant," he wrote. "Anything that encourages recidivism means another crime, which is another victim, another prosecution, and another cost to be borne by the public. The current system in Ohio does just that. As a result, Ohioans are paying more in taxes for less public safety, because of the current approach to bail."

Parma Municipal Court Judge Kenneth Spanagel also provided written interested party testimony in which he urged the panel to move the bill.

### **ECOT Appeals Closure, Says Founder Will Waive Fees To Prevent Budget Shortfall**

The Electronic Classroom of Tomorrow is appealing the decision that shut it down, saying it could remain fiscally stable through the end of the school year by no longer paying management and learning platform fees.

The e-school's sponsor, Educational Service Center of Lake Erie West, voted last week to suspend operations of the school amid financial concerns.

ECOT is strapped for cash because it's repaying the state for \$80 million in overpayments tied to attendance audit findings, which are being disputed in a lawsuit pending before the Ohio Supreme Court.

In its latest appeal, ECOT said its founder Bill Lager, who owns the management company and learning platform used by the school, has agreed to forgo payment for the

rest of the year to allow the school to reopen and finish out the academic year in the black.

Also part of the deal is continued monthly repayments to the state and an agreement that an interim master could be appointed by a court to oversee ECOT operations through the end of the school year.

"This is truly the best option for the thousands of ECOT families who have been grappling with this devastating news that their school would be closing its doors mid-year," ECOT spokesman Neil Clark said. "This plan effectively gives supervision of the school to a court-appointed master to ensure the school continues out its mission for a few more months while we wait for a favorable response from the Ohio Supreme Court."

Mr. Clark also took a shot at the Department of Education, which rejected a similar deal immediately prior to the sponsor's vote to shut down the school last week. That proposal also promised that ECOT wouldn't file any future lawsuits against the agency regarding attendance audits.

"Bill Lager suspending his fees through June shows another attempt to keep ECOT alive. It is unfathomable that the powers at be at ODE and the Governor's office aren't protecting ECOT students and families," he said.

ODE Spokeswoman Brittany Halpin defended the agency's handling of the situation, saying that it has attempted to work with ECOT for the last two years to resolve issues related to overpayment and full-time attendance audits.

It has become clear in that time, she said, the school and its backers have never intended to accurately report student participation, which determines funding.

A hearing officer this week confirmed the latest audit report findings that show the school over reported the number of full-time students again last school year. The State Board of Education is expected to vote to approve that report, which cites \$20 million in overpayments, at its February meeting.

"Based on their actions, the department has no confidence that ECOT intends to follow the law. We're disappointed that ECOT and its for-profit vendors, IQ Innovations and Altair Learning Management, continue to prioritize their monetary gain over the best interests of 12,000 students," Ms. Halpin said in a statement.

However, lawmakers on Tuesday also called on the state to step in to keep ECOT open until June, giving students and teachers time to evaluate their options for moving on to a new school next year.

They stressed that every day the school is closed, 12,000 students - including more than 2,200 seniors who were on track to graduate this spring - are falling farther behind in their schooling.

"It would be ideal if we could finish the school year," Rep. Andy Thompson (R-Marietta) said during a Statehouse news conference.

Rep. Andy Brenner (R-Powell), chairman of the House Education and Career Readiness Committee, said there's also concerns about ECOT teachers who will have difficulty finding work mid-year.

Like Mr. Clark, he said ODE could have prevented the midyear closure of the school by setting up a different repayment plan.

"While it's not the department's responsibility to close the school but that of the school sponsor, the department created the environment that caused the school to close midyear," Rep. Brenner said. "This is not to say that ECOT wasn't responsible for their actions, but the midyear closing could have been mitigated or prevented."

Rep. Brenner said he's working on legislation that would "prevent this from happening again."

The potential bills could prohibit the department from setting retroactive rules and require it to use forensic accounting and other options for determining whether students were active in learning opportunities when log-in records can't be produced, he said.

He said he'd also like to ensure that schools don't close in the middle of the year and ODE has firm plans in place to assist displaced students and teachers when schools do shut down.

"Every day that they're not in school is another day that they're not able to learn and be able to go and potentially this graduate...or go on to the next school year," Rep. Brenner said of currently displaced ECOT students.

ECOT Assistant Principal Laura Beth McNamara said the school could resume operations immediately if the sponsor accepts the deal brought forward Tuesday.

"The student accounts are still there, most of them still have their equipment. We haven't had a chance to gather up 12,000 computers yet," she said.

She and the Ohio Christian Alliance have reached out to Gov. John Kasich and asked him to intervene and press the sponsor and ODE to consider options to keep ECOT open for the remainder of the school year.

"There is a way forward," OCA President Chris Long said before delivering his letter to the governor's office.

The governor told reporters last week that it wouldn't be appropriate for him to advise ODE on how to respond to the situation.

The superintendent of public instruction, who leads the agency, is not in the governor's cabinet and is instead hired by the State Board of Education to serve independently of the administration.

"It is up to them to manage this, to have a situation where if the sponsor pulls (its support)...that they're prepared to be able to absorb these students," Gov. Kasich said at the time. "We've told them that on a regular basis without getting in the middle of negotiations. We don't believe it's our job to do that. It's not appropriate."

### **High Court Sides With Arrestee In Dispute Over Purse Search**

The Ohio Supreme Court on Tuesday ruled the warrantless search of a woman's purse was unconstitutional.

Writing for the majority, Justice Bill O'Neill found that the search, which turned up drugs, was not justifiable.

The case stems from the 2014 arrest of Jamie Banks-Harvey in Warren County after she was stopped by an Ohio State Highway Patrol officer and was found to have outstanding warrants on drug charges out of Montgomery County, the high court's media arm reported.

After she was detained and placed in a cruiser, the patrolman removed her purse from the vehicle she was driving, searched it and found drugs. Ms. Banks-Harvey was charged with felony possession of drugs and misdemeanor possession of drug paraphernalia.

She pleaded no contest to both charges after an unsuccessful attempt to suppress the evidence. She was sentenced to three years community control.

She appealed the trial court's decision not to suppress the evidence to the Twelfth District Court of Appeals, which upheld the ruling on the grounds that the OSHP has a policy of inventorying the belongings of an arrested person.

But Justice O'Neill found that both courts erred in their decisions.

"The question in this case is not whether the purse was taken from the car pursuant to a standardized law-enforcement policy, but whether such a policy was sufficient justification for the warrantless retrieval of the purse from the car," he wrote. "We conclude that it was not and therefore that the subsequent search of the purse did not qualify as a valid inventory search, because the purse had not lawfully come into the custody of the police."

He was joined in his decision by Justice Judith French and Justice Patrick Fischer. Justice Sharon Kennedy concurred in judgement only.



In her written opinion, Justice Kennedy noted that a local police officer showed up at the scene to take Ms. Banks-Harvey into custody.

"Even when a standardized procedure or policy permits an inventory search of an arrested person's effects incident to incarceration, it is unreasonable, within the context of the Fourth Amendment, for a law-enforcement officer to execute that inventory search when he is not taking the arrested person to a station house for booking and incarceration," she wrote.

"Moreover, it is unreasonable, within the context of the Fourth Amendment, for a law-enforcement procedure or policy to give an officer discretionary authority to take personal effects that are not in an arrestee's possession at the time of arrest and are safely secured be retrieved and taken to the station house, where they will be subject to an inventory search."

In a dissenting opinion joined by Chief Justice Maureen O'Connor, Justice Patrick DeWine found the search to be lawful.

"Here, despite the attempts to cast aspersions on the trooper's motivation, there is no evidence that the trooper's primary purpose was other than to secure the purse so that it could accompany Banks-Harvey to the station," he wrote. "That he was also on the lookout for illegal items does not render the inventory search unreasonable."

Justice Terrence O'Donnell also dissented, finding the case was improvidently allowed, saying "the Ohio State Highway Patrol policy is not in evidence, the case is factually specific, and no general rule of law can be formulated from its resolution."

### **Ohio Business: P&G Reports Sales Increase; Banks Report Year-End Financial Results...**

Procter & Gamble saw net sales of \$17.4 billion in the second quarter, up by 3% from the previous year.

Organic sales were integral in the gain, increasing by 2% in the quarter ended Dec. 31, P&G reported. Diluted net earnings for all sales were \$0.83, a decline of 68% compared to the prior year due to a divestiture gain in the base period and a current period net income tax charge related to a federal tax package.

Operating cash flow was \$3.7 billion for the quarter, while adjusted free cash flow productivity was 91%, the Cincinnati-based company said. It returned \$3.6 billion of cash to shareholders via \$1.8 billion of dividend payments and \$1.8 billion of common stock repurchase.

"We accelerated organic sales growth and delivered strong productivity cost savings and cash flow," Chairman, President and CEO David Taylor said in a statement. "We remain on track to achieve our fiscal year objectives."

**Huntington:** The Columbus-based company saw a 67% increase in net income, which came in at \$1.2 billion for 2017. Earnings per common share for the year were \$1, up 43% from the prior year.

Return on average assets for year ended Dec. 31 was 1.17%, while return on average tangible common equity was 15.7%, the bank reported. Total revenue increased 22% compared to the previous year.

The results exclude about \$152 million pretax of FirstMerit acquisition-related expenses, or \$0.09 per common share after tax, and an estimated tax benefit of \$123 million, or \$0.11 per common share, related to federal tax reforms enacted in December.

"We achieved our long-term financial goals for Return on Tangible Common Equity and Efficiency Ratio on a GAAP basis for the first time," chairman, president and CEO Steve Steinour said of the final quarter of the year. "In fact, during the fourth quarter, we achieved all five of our long-term financial goals. In addition, we recently began the strategic planning process that later this year will yield new long-term financial goals for the company."

**Community Investors Bancorp:** The parent company of First Federal Community Bank of Bucyrus reported net earnings of \$561,000, or \$0.71 per share for the second half of 2017. The total represents a \$45.3% increase from the same period in 2016.

Total assets as of Dec. 31 were \$145 million, which is an increase of \$1.6 million from June 30, the company announced. Meanwhile, investments increased by \$500,000 and the allowance for loan loss increased by \$135,000.

**First Financial:** For the three months ended Dec. 31, the company reported net income of \$24.8 million, or \$0.40 per common share, which is unchanged from the previous quarter.

Return on average assets for the fourth quarter was 1.13% while return on average tangible common equity was 13.85%.

In 2017, the company had earnings per diluted share of \$1.56 compared to \$1.43 for 2016, it reported.

**Peoples Bancorp:** The company posted a record full-year net income of \$38.5 million, or \$2.10 per diluted share. In the fourth quarter, the company reported net income of \$9 million, or \$0.49 per share.

"Earnings per diluted common share for the full year of 2017 were positively impacted by \$0.10 due to gains on sales of bank equity investment securities, and negatively impacted by \$0.02 due to non-core charges and \$0.05 due to the recently enacted Tax Cuts and Jobs Act," according to a company release.

**Arts Award:** Heartland Bank and the J.M. Smucker Company are set to be recognized at the 2018 Arts Day & Governor's Awards for the Arts in Ohio ceremony in May.

They're among nine winners of the governor's awards for supporting the arts. Heartland Bank is to be recognized in the category of small businesses that support the arts and Smucker's will take home the award as a large company that supports the arts.

"The 2018 Governor's Awards winners are true innovators and leaders in their communities. They exemplify Ohio's creative and forward-thinking spirit. On behalf of the Ohio Arts Council, I congratulate this year's group of individuals, organizations, and businesses on earning our state's most prestigious artistic and cultural achievement," said Donna S. Collins, executive director of the Ohio Arts Council.

### **Gongwer Unveils Text Alerts for Bill Tracking, Breaking News, Other Messages**

Gongwer News Service today launched new services that allow subscribers to receive bill tracking alerts, breaking news updates and other key Gongwer products via text message.

To activate text alerts, subscribers should log in to their accounts, click on their name in the banner and select Update Profile. Next, enter your mobile number and carrier, and select the alerts and messages you want to receive via text. Once your preferences have been set, click the Update button at the bottom of the box.

The system allows subscribers to request text notifications regarding the publication of the Gongwer *Ohio Report*, breaking news updates, media clips and legislative floor reports. Subscribers can also request real-time bill tracking alerts or a daily summary of activities on all bills that are being tracked.

Alert preferences can be changed at any time.

Due to limitations on the size of text messages, all text-based alerts will include a summary of the message received and a link to the full content of the message.

The new services are available to subscribers at no additional cost.

All Gongwer accounts include access to the leading bill tracking system that offers real-time alerts on legislation of interest. Subscribers can track by bill number, keyword, sponsor and Revised Code section and can also receive alerts based on legislative activity, committee scheduling and subject area. All bill tracking features, which include customizable bill status reports that can be shared with members and clients, are available on Gongwer's Bill Tracking page.

For questions about Gongwer bill tracking services, contact Gongwer at [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com) or 614.221.1992.

## **Governor's Appointments**

**State Speech and Hearing Professionals Board:** Lisa A. Froehlich, PhD of Lebanon for a term beginning January 23, 2018, and ending March 22, 2020.

**State Board of Cosmetology:** Jessica Price-Kovach of Galloway for a term beginning January 23, 2018, and ending October 31, 2021.

**Cuyahoga Community College Board of Trustees:** Andrew E. Randall of Cleveland for a term beginning January 23, 2018, and ending October 12, 2022.

## **Supplemental Event Planner**

### **Wednesday, January 24**

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Rep. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) and Ohio Pharmacists' Association news conference on prescription drug legislation, Press Briefing Rm., Statehouse, Columbus, 11:30 a.m.

### **Thursday, February 15**

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Kevin Bacon (R-Candidate 12th Congressional District) fundraiser, Onda, Labuhn, Rankin & Boggs, 35 N. Fourth St., Suite 100, Columbus, 5 p.m., (RSVP to [laura.bates.oh@gmail.com](mailto:laura.bates.oh@gmail.com) or 586.610.1040)

### **Wednesday, February 21**

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Ohio Alliance of Boys & Girls Clubs' Statehouse Reception, Statehouse Atrium, Columbus, 4:30 p.m.

Rep. Richard Brown (D-Canal Winchester) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Citizens for Richard Brown. RSVP with Jenna Gravalis at 551-427-9895 or [jgravalis@ohiodems.org](mailto:jgravalis@ohiodems.org))

### **Thursday, February 22**

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Kevin Bacon (R-Candidate 12th Congressional District) fundraiser, Medallion Club, 5000 Club Dr., Westerville, 6:30 p.m., (RSVP to [laura.bates.oh@gmail.com](mailto:laura.bates.oh@gmail.com) or 586.610.1040)

### **Tuesday, February 27**

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Rep. Glenn Holmes (D-McDonald) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Committee to Elect Glenn Holmes. RSVP with Jenna Gravalis at 551-427-9895 or [jgravalis@ohiodems.org](mailto:jgravalis@ohiodems.org))

### **Wednesday, February 28**

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Ohio Farm Bureau Ag Day at the Capital, Sheraton Hotel, 75 E. State Street, Columbus, 9 a.m.

### **Wednesday, March 7**

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Rep. Michael Sheehy (D-Oregon) & Rep. Michael O'Brien (D-Warren) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Committee to

Elect Michael Sheehy and Committee to Elect Michael O'Brien. RSVP with Jenna Gravalis at 551-427-9895 or [jgravalis@ohiodems.org](mailto:jgravalis@ohiodems.org))

**Tuesday, March 13**

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House Minority Leader Fred Strahorn (D-Dayton) fundraiser, The Walrus, 143 E. Main St., Columbus, 5 p.m., (Sponsor \$2,500, Host \$1,000, Guest \$500, Friend \$350 to Committee to Elect Fred Strahorn. RSVP with Amy Katrak at 614-420-1269 or [akatrak@ohiodems.org](mailto:akatrak@ohiodems.org))

**Wednesday, March 21**

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Rep. Tavia Galonski (D-Akron) fundraiser, Westies Gastropub, 940 S. Front Street, Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Friends of Tavia Galonski. RSVP with Jenna Gravalis at 551-427-9895 or [jgravalis@ohiodems.org](mailto:jgravalis@ohiodems.org))

**Wednesday, April 11**

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Rep. Bernadine Kent (D-Columbus) fundraiser, Einstein Bros. Bagels, 41 S. High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$250 to Kent for Ohio. RSVP with Jenna Gravalis at 551-427-9895 or [jgravalis@ohiodems.org](mailto:jgravalis@ohiodems.org))

**Tuesday, May 15**

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Rep. John Rogers (D-Mentor-on-the-Lake) & Rep. John Patterson (D-Jefferson) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (Sponsor Levels: Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Rogers and Committee to Elect John Patterson. RSVP with Jenna Gravalis at 551-429-9895 or [jgravalis@ohiodems.org](mailto:jgravalis@ohiodems.org))

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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## House Activity for Tuesday, January 23, 2018

### INTRODUCED AND REFERRED

- HB 478** ■ **WIRELESS SERVICES (Smith, R., LaTourette, S.)** To modify the law regarding wireless service and the placement of small cell wireless facilities in the public way. Am. 4939.01, 4939.02, 4939.03, 4939.031, 4939.035, 4939.038, 4939.0311, 4939.0313, 4939.0315, 4939.0319, 4939.0321, 4939.0325, 4939.04, and 4939.08; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 4939.035 (4939.036), 4939.038 (4939.037), 4939.039 (4939.038), 4939.0313 (4939.0312), 4939.0315 (4939.0313), 4939.0317 (4939.0315), 4939.0319 (4939.0316), 4939.0325 (4939.0322), and 4939.0327 (4939.0323) and to enact new sections 4939.039 and 4939.0317 and sections 4939.0314, 4939.0329, and 4939.09, and to repeal sections 4939.032, 4939.033, and 4939.037  
Government Accountability & Oversight  
Gongwer Coverage

### INTRODUCED

- HB 473** ■ **LOCAL FUNDING (Young, R.)** To credit additional amounts to the Local Government Fund to provide for payment to fire districts that experienced a 30% or more decrease in the taxable value of power plants located in the districts between 2016 and 2017 and to increase the appropriation to the Local Government Fund. Am. 5747.50 of the Revised Code and to amend Section 387.10 of Am. Sub. H.B. 49 of the 132nd General Assembly
- HB 474** ■ **LICENSE PLATE (Antani, N.)** To create the "Trees 4 Ohio" license plate. Am. 4501.21 and to enact section 4503.941
- HB 475** ■ **SKATEBOARDING (West, T.)** To prohibit a person riding a skateboard or the operator of a vehicle from attaching the skateboard or the rider to the vehicle and to name this act the "Dallas Swogger Act." Am. 4511.54
- HB 476** ■ **ORGAN DONATIONS (Koehler, K.)** To require the Registrar of Motor Vehicles and each Deputy Registrar to ask each person renewing a motor vehicle registration if that person wants to make a voluntary contribution to

the Second Chance Trust Fund. Am. 2108.34, to enact section 4501.027, and to repeal sections 4506.081, 4507.231, and 4507.501

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**HB 477** ■ **SCHOOL OPERATIONS (Koehler, K.)** To eliminate various provisions and programs related to the Department of Education and the operation of primary and secondary schools. Am. 109.57, 2917.46, 3301.133, 3302.26, 3313.71, and 3313.753 and to repeal sections 3301.073, 3301.0722, 3301.111, 3301.21, 3301.25, 3301.86, 3301.88, 3301.95, 3301.96, 3302.037, 3302.30, 3311.061, 3313.206, and 3313.711

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#### **CALENDAR FOR COMING SESSION**

**HB 172** ■ **MEDICAL RECORDS (Schuring, K.)** To modify the laws governing access to a patient's medical records.  
Wednesday, January 24

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**HB 250** ■ **ELECTRIC BICYCLES (Brinkman, T.)** To establish requirements for the use of electric bicycles.  
Wednesday, January 24

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**HB 332** ■ **ANATOMICAL GIFTS (Antani, N.)** Regarding anatomical gifts, transplantation, and discrimination on the basis of disability.  
Wednesday, January 24

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**SCR 8** ■ **MISSILE DEFENSE (O'Brien, S., Eklund, J.)** A resolution to urge the United States Missile Defense Agency to select Camp Ravenna Joint Military Training Center in Ravenna, Ohio, as the preferred site for a future east coast Missile Defense system.  
Wednesday, January 24

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#### **RE-REFERRED**

**HB 58** ■ **CURSIVE HANDWRITING (Brenner, A., Slaby, M.)** To require instruction in cursive handwriting.  
Higher Education & Workforce Development

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#### **REFERRED**

## Armed Services, Veterans Affairs & Homeland Security:

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**SB 81** ■ **FIREARMS (Terhar, L.)** To waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans, to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience, to permit a licensee to renew a concealed handgun license at any time before the expiration of the license, and to require the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be waived at \$1.5 million.

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**HB 468** ■ **MILITARY LEAVE (Perales, R., Boyd, J.)** To grant full-time state employees paid leave for the purpose of attending medical examinations and appointments provided through the United States Department of Veterans Affairs.

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## Energy & Natural Resources:

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**HB 463** ■ **WASTE FEES (LaTourette, S.)** To increase one of the state fees levied on the transfer or disposal of solid waste in Ohio, the proceeds of which are deposited into the Soil and Water Conservation District Assistance Fund, and to make an appropriation.

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## Government Accountability & Oversight:

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**HB 466** ■ **ELECTIONS CYBERSECURITY (Clyde, K.)** To establish a Director of Elections Cybersecurity and an Elections Cybersecurity Council to advise the Secretary of State on securing Ohio's elections and preventing future threats.

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**HB 467** ■ **ELECTION PROCEDURES (Clyde, K.)** To require the boards of elections to conduct audits of election results and, beginning in 2019, to use only voting equipment that produces voter marked and voter verified paper ballots.

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**HB 469** ■ **TAX CREDIT (Schuring, K., Patton, T.)** To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects.



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**HB 471** ■ **OFCC AUTHORITY** (Gonzales, A.) To specify that the Ohio Facilities Construction Commission's powers do not extend to letting or administering contracts that fall under the power of the Department of Administrative Services to make changes to existing facilities.

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## **Health:**

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**SB 28** ■ **ABORTION** (Uecker, J.) Regarding final disposition of fetal remains from surgical abortions.

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**HB 464** ■ **STROKE PATIENTS** (Lipps, S., Antonio, N.) To provide for recognition of stroke centers and establishment of protocols for assessment, treatment, and transport to hospitals of stroke patients.

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**HB 465** ■ **MEDICAID DRUG BENEFITS** (Lipps, S., Koehler, K.) To provide for the prescribed drugs benefit to be delivered under the Medicaid program through the fee-for-service system.

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## **State & Local Government:**

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**HB 470** ■ **LIGHTING FUNDS** (Edwards, J.) To authorize a property tax levy specifically to fund lighting for roads and public places.

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## **Transportation & Public Safety:**

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**HB 472** ■ **ROAD NAMING** (Cera, J.) To designate a portion of State Route 164 in the Village of Bergholz as the "Pvt. David Rhoades Memorial Highway."

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## **HOUSE SPEAKER'S APPOINTMENTS**

Energy and Natural Resources Committee: Remove Rep. Vitale, effective January 22, 2018.

## COMMITTEE HEARINGS

### Finance

**HB 281** **BROADBAND EXPANSION (Carfagna, R.)** To establish the residential broadband expansion program within the Development Services Agency to award matching grants for last mile broadband expansion in municipal corporations and townships and to make an appropriation. **(REPORTED-SUBSTITUTE (No testimony); 5th Hearing-All testimony-Possible substitute & vote)**

The bill was reported following the acceptance of a substitute version that included a handful of substantive changes along with other updates that sponsor **Rep. Rick Carfagna** (R-Westerville) described as dealing mostly with "semantics" and cleanup language to avoid redundancies. He said the Legislative Service Commission **Comparison Document** on the sub bill covers those changes as well as a series of amendments accepted at the committee's last hearing.

As explained by the sponsor, the more significant changes incorporated Tuesday include:

- Allowing local governments that decide to fill funding gaps on their own to avoid seeking county approval.
- The creation of a "challenge process" for requests-for-proposals with a five-day period for providers to question guidelines.
- Language dealing with the treatment of proposals that allow for the redaction of "trade secrets."
- Providing for alternative payment terms rather than mandating that providers do not get fully paid until the projects are completed.
- Removal of regulations of rates and pricing.
- Clarifying that providers are responsible for upkeep upon completion of the infrastructure.
- Clarifying that the assessments provided for in the legislation only apply to specific broadband projects.

Mr. Carfagna told the panel that 55 interested parties have been kept informed throughout the process of the more recent changes and there were no objections raised regarding the sub bill. "We're doing our best to keep people abreast of what we're trying to accomplish here," he said.

In answering questions from the panel, the sponsor said: the bill contains adequate protections regarding assessments and the process of determining unserved areas; and the substitute's elimination of language specifying monthly usage and "roundtrip latency" standards was aimed at avoiding any "micromanaging" of service providers.

The sponsor said in an interview that the bill provides for the Development Services Agency to use \$2 million every biennium from unencumbered funds, language that required the bill's approval by the Finance Committee.

Among members present for the vote, only **Rep. Jim Butler** (R-Oakwood) and **Rep. Mark Romanchuk** (R-Mansfield) were opposed to the report.

The latter lawmaker in an interview cited a 10-megabyte download standard, saying he didn't want to be paying for "old technology" and noting that satellite providers already exceed such speeds.

## **Financial Institutions, Housing & Urban Development**

**HB 182** ■ **DEBT ADJUSTING (Seitz, B.)** Regarding debt adjusting. (**REPORTED**; 5th Hearing-All testimony-Possible vote)

Before the bill was reported, Betty Montgomery, an attorney representing the American Fair Credit Council, told the panel that it will not allow for the unauthorized practice of law.

"Case law - both within this state and at the United States Supreme Court - has given us some direction when trying to determine whether or not certain behaviors constitute the practice of law," the former attorney general said.

Ms. Montgomery said the legislation will allow debt settlement companies to operate in Ohio the same way non-profit credit counseling agencies have for decades - with no objection from the bar, she added.

"This bill provides an opportunity for both clarity and fairness: Should this bill pass and the industry begins engaging with business in Ohio, it undoubtedly will be challenged once again," she said. "The industry will then have an opportunity to have full hearings, presenting persuasive evidence and argument to the Ohio Supreme Court, the proper forum for clarification regarding whether or not the debt settlement industry is engaged in the unauthorized practice of law."

The bill was reported in an 8-5 vote, with **Rep. Jim Hughes** (R-Columbus) joining Democrats on the panel in opposition.

**HB 386** ■ **CREDIT FREEZES (Henne, M., Kelly, B.)** To modify the fees that a credit reporting agency can charge in relation to a credit report freeze. (**CONTINUED (No testimony)**; 4th Hearing-All testimony)

**HB 390** ■ **FORCIBLE ENTRY (Merrin, D.)** To clarify how to calculate certain timelines under which a forcible entry and detainer action must occur. (**CONTINUED**; 4th Hearing-All testimony)

Dan Acton, government affairs director of the Ohio Real Estate Investors Association, said the measure is intended to standardize eviction laws throughout the state based on previous court rulings.

The legislation, he added, is needed because the calculation of days varies by county.

"Our investor members sometimes own property in multiple counties and the idea of attempting to interpret local laws for a legal action that should be consistent across the state is a recipe for failure and can lead to more complications for all parties involved," he said.

Under the measure, for the purposes of eviction, calendar days would be counted instead of business days.

"In any other contract related to a property whether it is for utility services, taxes paid, mortgages, or insurance, the service provider, or the government counts calendar days. The calculation of days for eviction should not be any different," he said.

**HB 432**

**STUDENT LOANS (Boggs, K., Kelly, B.)** To require student loan servicers to be licensed by the Division of Financial Institutions and to create the position of student loan ombudsperson in the Division of Financial Institutions to provide assistance to student loan borrowers. H. B. No. 433 - Representatives Kelly, Brinkman. **(CONTINUED; 1st Hearing-Sponsor)**

**Rep. Kristin Boggs** (D-Columbus) said in sponsor testimony that student loan borrowers rarely have the opportunity to vet the company servicing their student loans.

"They are thrust into this relationship with a company that they did not necessarily agree to do business with, so the purpose of this bill is to prevent unscrupulous student loan servicing companies from taking advantage of student borrowers by misapplying payments or misrepresenting their practices," she said.

In addition to creating a student loan ombudsperson within the Department of Commerce, the bill would enhance oversight of student loan servicers operating in the state.

Fellow sponsoring **Rep. Brigid Kelly** (D-Cincinnati) said 11 other states have taken similar steps.

"We believe this bill will ensure student loan borrowers and their families receive levels of services and protection that are standard for other financial contracts, but not currently guaranteed under federal law for student loan servicers," she said.

"Notably, this legislation does not require banks or credit unions to obtain a license because similar federal regulations for these companies already exists. Our goal is to make the playing field even across the board, and make sure that Ohioans get the same level of services and protections regardless of who is servicing their student loans."

Asked by chairman **Rep. Jonathan Dever** (R-Cincinnati) about DOC's position on the bill, Rep. Boggs said those discussion have yet to take place.

**Subscriber's Note:** For full written testimony, see the [committee's website](#) under Jan. 23.  
**Energy & Natural Resources**

**HB 393**

**BRINE SALES (DeVitis, T., O'Brien, M.)** To authorize a person to sell brine derived from an oil and gas operation that is processed as a commodity for use in surface application in deicing, dust suppression, and other applications. **(CONTINUED-AMENDED; 3rd Hearing-All testimony-Possible vote)**

**Rep. Jay Edwards** (R-Nelsonville) won support for an amendment that requires the collection of samples, rather than making the collection optional. The change, he said, is expected to move the Ohio Environmental Council from an opponent to an interested party. Melanie Houston of the Ohio Environmental Council Action Fund followed that action with interested party testimony. She said the amendment represents a big step, but the group is still concerned about metals and radioactive materials.

She said the group supports the goal of recycling oil and gas brine outside of injection, but raised concerns that it doesn't include a process that ensures protection of public health, safety and the environment.

To earn the group's support, she said lawmakers would either need to require satisfactory test results regarding radiological materials and heavy metals or establish a regular testing protocol by a lab equipped for those tests.

"We understand that this is a tall order," she said. "We understand that the company is a small business owner in northeast Ohio with a product that works well to treat ice and snow on our roads, and we appreciate the need for safe car travel throughout the state. We understand that there are competing public health priorities and that de-icing roads is essential to keep our communities safe and functioning throughout the winter months."

"The OEC Action Fund understands that you also may prioritize the public safety goal of adding another deicing product to the market over the public safety goal of minimizing radiological and heavy metal content that is brought to the surface through resource extraction."

She also called on lawmakers to have the manufacturer demonstrate that the product is safe and is not radioactive.

"While we have heard about the efficacy of the product to treat ice and snow, we have not yet seen the lab analyses to demonstrate that there are no NORM or heavy metals present in the product," Ms. Houston added.

**Rep. Dick Stein** (R-Norwalk) asked whether the group is opposed to the current use of the product on some roads across the state.

Ms. Houston acknowledged that the product is being used, but said the authorization came from a divisional order rather than the enactment of law. She said passage of a bill could lead to much wider use, including sales for personal use.

**Rep. David Leland** (D-Columbus) asked how long the product has been in use in Ohio.

Ms. Houston said it dates to about 2004, when an order was issued by the chief of the Division of Oil & Gas. She told Mr. Leland she does not have any data about the condition of soil near where the product has been used, but said DNR may have that information.

Bill Rish of ToxStrategies lent support for the bill, telling the panel that Nature's Own and Duck Creek Energy asked him to consider whether the use of AquaSalina for deicing roads present significant ecological or health risks.

He said his research has shown that the product will not create unacceptable ecological or human health risks and has impacts that are much lower than the use of rock salt.

"I found that laboratory data demonstrate that the use of AquaSalina will not result in exceeding Ohio surface water criteria for protection of aquatic species or protection for agricultural use of surface water for any of the substances present in the product," he said. "I also found that laboratory data for the content of AquaSalina, when compared to my published study, show that AquaSalina will not result in risk to drinking water, even if an adult or child drinks from a shallow well near the location that AquaSalina is applied. In fact, I expect that this drinking water pathway is unlikely to exist."

That process included a review of third-party and independent certification agencies, as well as academic institutions and the Pennsylvania Department of Environmental Protection, he said, adding that the Pennsylvania-style brine has much higher radiological levels than AquaSalina.

Responding to questions, Mr. Rish said studies have shown that even a person who would be most exposed to the product from all potential channels would likely only reach 1/100<sup>th</sup> of a what would be considered a maximum acceptable level.

Rebecca Clutter of NARO Appalachia in written testimony questioned whether the panel has considered mineral owners as part of the debate on the bill, noting that the state itself is a large-scale mineral owner.

"On the surface, this issue is about a single corporation seeking to use recycled brine for use in road applications," she said. "The bigger issue is that the filtered brine kicks back Rare Earth Elements (RRE) from privately owned mineral sources. Specifically we are seeing a high degree of interest regarding Lithium filtered from not only brine, but from coal ponds as well."

"The responsibility to protect private property rights regarding mineral assets inclusive of RRE's belongs to all of you," she said. "Our ask is that should brine be listed as a commodity, that it also be looked at from the perspective of how the mineral owner, including the State of Ohio, would be properly compensated and that discussions on this include mineral owners and not simply those tied to industry."

Adam Rissien of the Ohio Sierra Club offered written opponent testimony, saying the bill could lead to the contamination of rivers, streams and lakes.

He said the bill includes language that shows an intent to make brine waste safe for commercial use, but doesn't include direction that could prevent environmental- or health-related issues.

Mr. Rissien said the Ohio Department of Transportation doesn't have testing protocols or a process to ensure the safety of brine waste products, and isn't the right agency to protect natural resources or health.

Processed brine can continue to include heavy materials and radiologicals that could create unnecessary environmental risks, and said the bill doesn't include anything that ensures the safety of processed brine, he wrote. He also raised concerns about provisions that he said "egregiously" limit the authority of state officials to establish rules or additional requirements regarding the substance.

Robbin Rogers of Medina County Together also submitted written opponent testimony. She said the oil and gas industry has worked to block environmental and health protections. "Today you have an opportunity to take one step-not even a bold step against the fossil fuel industry-but an important step nonetheless," she said. "And it involves supporting a legislature that bucked the national trend and implemented changes to regulations concerning transporting, dispersing, and labeling of products originating or manufactured from fossil fuel brine."

#### **HB 422**

**WATER SEWER ACQUISITIONS (Ginter, T., Rogers, J.)** To govern acquisitions of municipal water-works and sewage disposal system companies by certain larger nonmunicipal water-works or sewage disposal system companies. (**CONTINUED**; 3rd Hearing-All testimony)

Daniel Shields, director of the analytical services department at the Ohio Consumers' Counsel, presented written opponent testimony.

"This concern includes that the bill would undermine the long-time protection of ratemaking statutes that Ohio utility consumers should not pay rates based on more than the original cost of acquiring utility plant (assets)," he said. "The use of original cost for ratemaking is fair

to utilities and to consumers, but the bill would redefine original cost in a way that can lead to higher rates for consumers."

**Subscribers please note:** Testimony is available on the [committee's website](#) under January 23.

## **Ways & Means**

**HB 186** **HIGHER EDUCATION EXPENSES (Rogers, J., Scherer, G.)** To enact the "Blair Deduction" to allow an individual obtaining a post-secondary degree or credential from an eligible educational institution to claim an income tax deduction for qualified higher education expenses. (**CONTINUED**; 2nd Hearing-Proponent)

"The provision granting deductions for credentials earned by students will put money back in the pockets of Ohioans," said Daniel Palmer, chief justice of Wright State University's Student Government Association and executive director of the Ohio Student Government Association.

Mr. Palmer said he is concerned about how college students will be claimed as dependents and brought New Jersey's "Dependents Attending Colleges Exemption" to the committee's attention.

He recommended the committee consider including a similar exemption into the bill, which would grant taxpayers a \$1,000 flat deduction that pays at least one half of the "tuition and maintenance costs for a dependent full-time student under age 22," if certain requirements are met.

Mr. Palmer said the exemption saved New Jersey taxpayers \$10.5 million in 2017.

Rep. Blessing asked how this proposal could reduce costs in the long run for college students. If Ohio invests in this matter, the state's institutions will become more marketable which will pay off in the long run, Mr. Palmer said.

Morris W. Beverage Jr., president of Lakeland Community College said in written testimony that the proposal offers relief to Ohio graduates.

"The proposal to adjust the taxable income of recent graduates relative to their out of pocket Qualified Higher Education Expenses is a welcome consideration that recognizes the value of a student and family's investment in education and training, recognizing their struggles, and recognizing their desire to increase their ability to participate in and contribute to workforces and economic development in our state," Mr. Beverage said in testimony.

In written testimony, Dave Wiles, president of CT Consultants, said the bill could help the company compete by expanding its base with high quality graduates in Ohio.

"I strongly believe that any incentive that can enhance the benefits of a post-secondary education, including any financial assistance to help graduates with their responsibilities towards repayment of their school loans, is not only good for our local, state and federal governments, but it is in the student's best interests towards becoming independent and responsible tax-paying citizens," Edward Brown, CFO and owner of the Brown Aveda Institutes, Casal Aveda Institute, and Ladies and Gentlemen Salon and Spas, said in written testimony.